The image shows the front cover of a book. The cover is decorated with a marbled paper pattern. The pattern consists of large, irregular, brownish-tan shapes that resemble stone or organic cells, separated by a network of thin, branching red lines. The overall effect is a dense, textured appearance. In the bottom left corner, there is a small, rectangular white label with black text.


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Vol 5
City of Boston.

1.

January 1st 1827.

This being the day appointed by law, for the organization of the City government. The following gentlemen together with the members of the Common Council appeared in the Hall of the Common Council and took their seats.

W^{ts}: Honorable Josiah Quincy, Mayor.
Aldermen.

John Bellows	Jeremiah Smith Boies
Thomas Welsh, Junior,	Thomas Beale Wales
John Foster Loring	Cyrus Alger and
Robert Tennelly, Esquires.	James Savage, Esquires.

The meeting was opened with prayer by the Reverend Daniel Sharps.

The Honorable Isaac Parker, Chief Justice of the Supreme Judicial Court, administered the several oaths required by law, to the Mayor.

Mayor
sworn

The Mayor afterward, administered the like oaths to the Aldermen, and then to members of the Common Council. After which he addressed the City Council.

Aldermen &
Common Council
sworn

The Mayor and Aldermen then retired to their own room.

A message in writing was received, announcing, that the Common Council had elected John R. Adams, Esquire for their President, and Thomas Clarke, Esquire, Clerk.

President & Clerk
Common Council

Ordered

2.

Ordered, that the City be divided into

District four districts as follows. viz:

Committes. 1st Dis. Wards N^o 1, 2, & 3. Aldermen Fennelly and Savage.

2^d " " " 4, 8 & 9. " Boies and Wales.

3^d " " " 5, 6 & 7. " Welsh and Loring.

4th " " " 10, 11 & 12. " Bellows and Alger.

for the purpose of attending to the several streets, lanes, alleys and public places within those districts.

Convention to

elect City Clerk. Ordered, that a message in writing be sent to the Common Council proposing a convention of the City Council forthwith, in the Common Council room, for the purpose of electing a City Clerk.

A message in writing was received from the Common Council, signifying their concurrence with the board of Aldermen, to form a convention of the City Council, at the time and place and for the purpose above mentioned.

In Convention.

City Clerk

chosen

Agreeably to assignment the two boards met in convention in the Common Council room for the purpose of electing a City Clerk. Alderman Loring, Messrs. Morey and Wright were appointed a committee to receive, sort, and count the votes for a City Clerk, who reported the whole number of votes 47.

Necessary for a choice 24.

Samuel Foster M. Cleary, Esquire had 43.

Sworn

and he was chosen. The oath of office was administered to him by the Mayor. The business of the convention being accomplished the two boards separated.

Petition of the Boston free bridge cor 3.

poration, stating that by their act of incorporation, they are authorized to erect a bridge from or near Sea Street to South Boston, and nearly in the direction of the Dorchester turnpike, that they propose to erect the same at their own expense, of materials, in manner similar to either of the other bridges in, or connected with the City, and praying to know the decision of the City government whether such a bridge so built, will be accepted by the City, and the City government assume the care, and obligations of keeping the same in repair, lighting the same, and providing facilities for raising the draws thereof. And if the City government shall determine that they wish to accept said bridge, &c. when the same shall be completed, then the memorialists ask that they would decide as to the mode and manner of constructing said bridge, and all other matters which shall by them be deemed of importance in relation to the same.

Read and committed to the Mayor, Aldermen Bellows, Welsh and Boies, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs James, Hovey, Russell, Phillips, Walker, Howe and Dyer.

Petition of Ephraim Marsh & others. Marsh

in relation to the building laws and praying, that some modification building law, may be made in the same. Read and committed to the Mayor, Aldermen Spring and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its

1. Sent Messrs Ward, Parker and 11:10 Josiah Toser, Sprague and Tufts.

Mayor's

Address

Order of the Common Council, appointing Messrs Russell, Bigelow and James with such as the board of Aldermen might join, a committee to present the thanks of the City Council to the Mayor, for his address delivered to them this day, and to request a copy for the press. Came up for concurrence. Read and concurred, and Aldermen Bellows and Loring are joined.

Adjourned to Monday next, six o'clock P. M.

Monday, January 8th 1827.

Met according to adjournment.

Present The whole board, except Alderman Bellows.

Tappan
Summer St.

Petition of Lewis Tappan, and others, claiming pay for land taken two years ago, to widen Summer street. Read and committed to Aldermen Boies and Wales, to consider and report.

Quarantine,
Comd

Ordered, that Aldermen Loring, Boies and Wales, be a committee on the quarantine of vessels &c.

Resident Phy.
Small Pox.

Communication from Doctor J. M. C. Smith resident Physician at Rainsford Island, stating that the Schooner Enterprise, arrived at quarantine from Fayal, one man has the small pox. He also states, that six men are now confined in the Hospital with that disorder; he prays, that sundry articles

for the use of the six men aforesaid, and other sick, may be 5.
provided, and that some repairs may be made to the buildings
which were damaged by the storms. Read and committed to,
the committee on quarantine, to consider and report.

Petition of William Lall, and others, Lall
praying, that Castle street may be paved. Read & committed, Castle street.
to Aldermen Bellows and Alger, to consider and report.

Petition of Joseph P. Bradlee, praying, Bradlee
compensation for damage in being obliged to remove his goods from Merchants Row
a store in Merchants Row; said building being taken down to
widen said street. Read and committed to Aldermen Boies
and Wales, to consider and report.

Communication from William Minot, Esquire, Franklin
Treasurer of the Franklin fund, relative to the investment of fund
said fund. Read and committed to Aldermen Spring and
Savage, to consider and report.

Ordered, that Aldermen Spring & Boies, Neck lands.
with such as the Common Council may join, be a committee
on Neck lands, whose duty it shall be to superintend said lands,
and to cause such improvements and repairs to be made thereon,
as they may think necessary; to rent them; and in case of an
application for the purchase of any part thereof, to fix a price, &
report the same to the City Council for their approbation. Sent
down for concurrence. Same up concurred, and the Common

16. Council joined on its part Mess^{rs} Phillips, Simonds and Joshua Rose.

Common Council

(Mess^{rs} Elliot and Little, came up at once qualified, tendered by M^r James, and were duly qualified to take their seats as members of the Common Council, by taking the several oaths required by the Constitution, and laws, before the Mayor.

Com: on acc^t

(Order of the Common Council giving notice of the appointment by ballot on its part of Mess^{rs} Joseph Eveleth, Charles Sprague and Joseph W. Lewis, as a committee of accounts.

The board proceeded by ballot to choose on its part two members to be joined to the above committee, and the votes being taken, it appeared that Aldermen John S. Spring and Thomas B. Wales were chosen.

Boston and
Roxbury Mill
Corpn.

Order of the Common Council committing the Mayor's message concerning the contracts entered into by a committee of the last City Council, and the abutters on the Back Bay, and the Boston and Roxbury Mill Corporation, to Mess^{rs} Moros, Williams, Winkler, Eveleth, Sprague, Lodge, and Parker of Ward No 10, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Bellows, Welsh, Boies, Fennelly, Wales, and Savage are joined.

Scavengers

Ordered, that the Mayor, Aldermen Boies and Alger be a committee to consider and report what arrangements can be made the present year, with respect to the Scavenger's carts & the removal of house dirt.

Petition of Charles Evers, praying, that
the board would reconsider a vote passed by a former board grant-
ing him one dollar per square foot, for land taken in the spring
of the year 1823, between Summer and Bedford streets, for the pur-
pose of widening Washington street, in order that he may be enab-
led to present his claim a new against the City, and to show
some facts and reasons which obliges him to consider the sum
awarded as an inadequate compensation. Read and commit-
ted to Aldermen Boies and Wales, to consider and report.

7.

Evers

Washington st.

Petition of Ebenezer Smith, giving notice,
that he is about building a number of buildings with brick &
stone upon Friend, Merrimac, and Market streets, on the Mill
pond land, and praying, that the line of elevation of those streets,
and of the edge stone, may be taken and established, and the
width and space to be designated for said walks. He likewise
recommends the establishing the line of elevation of all the streets
on the Mill pond land south of the canal. Read and commit-
ted to Aldermen Boies and Wales, with instructions to have the
levels taken by a Surveyor and report.

Smith

Friend, Merrimac

Market streets.

Application of Isaac Smith for a license to
exhibit one hundred living Rattlesnakes, at N^o 23 Ann street.
Granted on paying therefor one dollar per week.

Smith

Rattlesnakes.

Petition of William Foster, praying, remunera-
tion for land taken more than two years since, to widen Broad
street, at the corner of Purchase street. Read and committed to

Foster

Broad street

8.

Aldermen Boies and Wales, to consider and report thereon.

Downer

State street

Petition of Downer and Baldwin, and others, praying, that a light boxing be extended from the store of John Parker, Esq. across State street to the store of William Pratt, Esq. so as to protect the cellars of the petitioners on the westerly side of Merchants Row. Read and committed to Aldermen Boies and Wales, to consider and report.

Babbitt

Undertaker,

Cyrus Babbitt, Sexton of the Congregational

Church in Purchase street, was nominated and appointed a funeral undertaker, upon the petition of the committee of said Church.

Wright

South Boston.

Copy of petition and order of notice on the

petition of William Wright, and others, to the Legislature for an alteration of the law relative to roads and streets, as it respects the streets at South Boston. Read and committed to the Mayor, Aldermen Belknap and Alger with instructions to attend to the subject before the Legislature.

Merchants Ins.

Petition of the Merchants Insurance Company,

18

praying, that some committee may be appointed to negotiate with them concerning the office which they lately occupied in the Old State House, of which they held a lease; said company have lately removed their office to the buildings of the Union Bank, in consequence of which they wish to surrender their lease. Read and committed to Aldermen Tennyson and Boies, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part.

Msg³ Eveleth, Barry and Lodge. ---

9.

Communication from the Warden of Ward No. 5, Common Council, enclosing a copy of a note from Lucius H. Sargent, Esq. declining man Ward No. 5 to accept the office of Common Council man, to which he was elected by the Inhabitants of said Ward. Read and committed to the Mayor and Alderman Savage with such as the Common Council may join with instructions to consider and report upon the method of filling vacancies in the Common Council. Sent down for concurrence.

Came up concurred, and the Common Council joined on its part Mess^{rs} Morey, Little and Pray.

Communication from Ezra Trull, declining to accept the office of Overseer of the Poor, to which he was elected by the Inhabitants of Ward No. 4. Read and committed to the committee who have under consideration the subject of filling vacancies in the Common Council to consider and report. Sent down for concurrence. Came up concurred.

The Superintendent of burial grounds, laid before the Board, a general abstract of the bill of mortality for the City, for the last year; agreeably to the record kept at the Health office. Read and thereupon ordered, that the Superintendent cause the same to be printed. Bill of mortality

Communication from the Auditor of accounts, stating that the respective sums appropriated for "repairs, fuel and all other contingent expenses of the Schools" and for incidental expenses and, Auditor of acc^t

10. miscellaneous claims' have been entirely expended, and that the public service seems to require further appropriations for these objects, and that sufficient sums may be withdrawn from the appropriation for salaries and compensation to the instructors of Schools.
Read and sent down.

Mercantile Wharf
Corporation.

Communication from the board of Directors of the Mercantile Wharf Corporation, inclosing a vote, declaring that they consider Col.^d Jonathan Whitney's south line, on the eastern edge of Marginal street, as the north line of the Mill Creek, and from which a line running parallel with the northerly line of the docks shall be the division line of said docks, so far as the same is less than two hundred and fifteen feet in width.
Read and sent down.

Adjourned to Monday next, half past six o'clock p.m.

Monday January 15th 1825.

Met according to adjournment.

Present— The whole board.

Welch

On the requisition of the Judge

non compos mentis, of Probate for the County of Suffolk, requiring, that inquisition be made, and a guardian appointed according to law, for William Welch, of this City, merchant, who has been represented to be a person *non compos mentis*, and incapable of taking care of himself.

Ordered, that the said Welch be notified to appear before this board, on Friday next, at twelve o'clock, at noon; and show cause, if any, he have, why he should not be adjudged *non compos mentis*.

that the same may be certified to the Judge of Probate aforesaid, 11.
that a Guardian may be appointed to said Watch according to
law.

(Order of the Common Council, appointing City Charter
Memb^rs. Russell, Moreau and James, with such as the board of
Aldermen might join, a committee to report what amendments
may be necessary to be made by the Legislature of this Com-
monwealth in the City Charter. Came up for concurrence.
Read and concurred, and the Mayor and Alderman Welsh
are joined.) amend?

(Order of the Common Council, appointing City County
Memb^rs. Williams, Drinley, Bradford, Selark, Lodge, Bradlee & Bond.
with such as the board of Aldermen might join, a committee
to take into consideration so much of the communication of the
Mayor as relates to the disposition of the lands belonging to the
City and lying between the County Court house on School street
and Court street. So much as relates to the lands belonging
to the City in the vicinity of the New Market house, which were
purchased by the committee on the extension of Faneuil Hall mar-
ket. So much as relates to the disposition of the vacated
parts of Faneuil Hall, and the lands in its vicinity, belonging
to the City, with instructions to report what disposition ought to
be made of this property, if any, at the present time. Came up
for concurrence. Read and concurred, and the Mayor, Aldermen
Bellows, Loring, Boies and Savage are joined.) Lands.

(Ordered, by the City Council, that the Mayor, Surveyors &
and Aldermen of the City of Boston, do and they hereby are Highways

12. appointed Surveyors of highways of the City, for the year ensuing; Came up for concurrence. Read and concurred.

House of Cor.

The board of accounts, report of the state of the house of correction, and more particularly as to the situation of John Sennet, a lunatic confined therein. Read and referred to the Mayor, to consider and report.

City Council

Application of Elizabeth Powell, Thomas Nelson, John Kilmer, and Henry James Sinn, Managers of the Federal street Theatre, for a renewal of their license, and that some alterations may be made in the terms of such license. Read and the Council ordered, that a license be granted, upon the same terms, as the last year for one year, from the fourth day of January, instant.

City Council

Petition of George Somers, Esq. for himself, Thomas Sheafe, Samuel Sheafe, as trustees of Elizabeth H. Thompson, and Alexander S. Chadbourne, the owners of an estate on Washington street, near the Marlboro' hotel, praying, that referees may be appointed, to settle and adjust the whole matter of claim for damages in consequence of taking a part of their land, to widen said street. Read and committed to Aldermen Welsh and Loring, with full power to agree upon referees to determine the same.

City Council

Communication from Samuel A. Eliot, relative to the line of Beacon street, near the State house. Read and committed to Aldermen Welsh & Loring, to consider & report.

The committee of the trustees of the 13.

Franklin fund, to whom was referred the communication of William Minot, Treasurer of said fund, under date of the first of January, current, having duly considered the same, now report, that it is expedient that the said Treasurer should make a deposit, in trust, with the Massachusetts General Hospital Life Insurance Company, in the form of an annuity for a term of years on the life of said Treasurer, but in case of his death, payable to the trustees, and that the said deposit should be of all the money by the said Treasurer heretofore lent to the City of Boston, as the same may be repaid, inasmuch as the interest on the loan to the City is only five per cent: and a larger income may reasonably be expected from the other mode of investment; wherefore they recommend the adoption of the following order. Ordered, that the Treasurer of the trustees of the Franklin fund make a deposit in trust, with the Massachusetts General Hospital Life Insurance Company of the money heretofore lent to the City, as the same shall be repaid on such terms as the said Treasurer may think expedient.

Read and accepted, and ordered accordingly.

Petition of Cushing Nichols, for pay for Nichols
land and damage to his estate, in widening Temple street. Temple st.
Read and committed to Aldermen Loring and Welsh, to consider Report.

Petition of Edward Bell, praying that the elevation of Bell
Traverse street, may be determined where he is about to build. Read & Traverse st.
committed to Aldermen Boies & Wales, to consider Report.

11.

Petition of Charles Wade, praying remun-

eration for damage in consequence of being obliged to remove from Merchants Row, a building taken to widen Merchants Row. Read & committed to Aldermen Boies and Wales, to consider and report.

Gapett
Chatham
street

Petition of Henry Gapett, and others, praying that the new street leading from Merchants Row, south of South Market street and running easterly towards the harbour, may be named. Read and thereupon ordered, that said street be hereafter known and called by the name of Chatham street.

Merchants Ins.

Co.

The committee to whom was referred the Petition of the Merchants Insurance company, praying to surrender their lease of a room in the Old State House lately occupied by them, reported, that the premises be leased at auction, under an agreement with said company, that they surrender their lease and pay the difference of rent, if any, for the term (which remains unexpired). Read and accepted. Sent down for concurrence. Came up concurred.

William

Deer Island. Petition of William Bellamy, to hire Deer Island, for a term of years. Read and committed to Aldermen Sennelly, Boies and Wales, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part. B. J. Lodge, Kattel, Howe and Bacon.

The Chief Engineer of the fire department 15.

communicated a general return of said department, enumerating Fire department names of the members belonging to the same; the Engines, hose, buckets, and the apparatus and property thereto belonging. Read, and committed to the Mayor, Aldermen Loring and Savage, with such as the Common Council may join, who are instructed to report what alterations are necessary in the ordinance establishing the fire department. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Williams, Morey, Wright, Dyer, and Aspinwall.

Gentlemen of the City Council Mayor's message

In the month of April, 1823, Alderman Roxbury & Boston
Tinkins as a committee from the board of Aldermen, appointed
to confer with the Selectmen of Roxbury respecting the boundary line
made a report relative to an agreement entered into by him,
in his said capacity, with the Selectmen of Roxbury, which
report was accepted by the then board of Aldermen. It is
stated in that report, that "In running this line, some exchange
of territory are involved and consequently it is supposed, that the
sanction of the Legislature will be necessary to render valid the
arrangement agreed to, and it is proposed that the same should
be obtained at the next session of the General Court."

Nothing farther was done, in relation to that proposition, until the last spring, when the time for another perambulation of the boundary lines between Boston and Roxbury having occurred, the line agreed to between the board of Aldermen of 1823, & the

16. Selectmen of Roxbury was so far adopted by the Board of Aldermen of the last year as to agree, that an application should be made to the Legislature for their sanction of the line then established. As the effect of this arrangement will be as above stated to effect some exchange of territorial jurisdiction, it is apprehended that an application such as is proposed, cannot be made without the sanction of the City Council, and therefore, the subject is recommended to their early consideration.

Josiah Quincy.

Read and thereupon ordered, that the Mayor, Aldermen Wales and Savages with such as the Common Council may join, be a committee to consider the expediency of applying to the Legislature to sanction the agreement made between the Board of Aldermen in the year 1823, and the Selectmen of Roxbury, and to report forthwith, to the City Council. Sent down for concurrence: Came up concurred, and the Common Council joined on its part Messrs Ward, Russell, Everseth and Tufts.

Court houses

Am:

Ordered, that Aldermen Welsh and Boies, be a committee on the Court houses, with authority to engage persons sufficient to take care of them, and do the necessary work therein.

Public buildings

Am:

Ordered, that Aldermen Bellows and Tennet, with such as the Common Council may join, be a committee upon the public buildings, belonging to the City. Sent down for concurrence: Came up concurred, and the Common Council joined on its part, Messrs Lodge, Parker of Ward No 5 and Sprague.

(Ordered, that Aldermen Tonnally, Allyn, 17.
and Savage, be a committee upon the Gaol and House of Gaol Com.
Correction.

(Ordered, that Aldermen Loring, Boies & Market
Wales, be a committee upon the Market). (Con.)

Adjourned to Friday next 12 o'clock at noon.

Friday January 19th 1827.

Met according to adjournment.

Present. The whole board, except Aldermen Bellows and Welsh.

It appearing to this board, that notice has been given to William Welch, according to the order passed at the last meeting, and now it appearing, that said Welch, is in the McLean Asylum for the insane, at Charleston; and after examining divers witnesses, under oath, do adjudge that the said William Welch is non compos mentis, and incapable of taking care of himself. And the same was certified by the Mayor, and a majority of the Aldermen to the Judge of Probate, of the County of Suffolk, that a Guardian may be appointed according to law, Welch non compos mentis.

Order of the Common Council, instructing the City Charter joint Committee on the subject of amendments of the City Charter, amendments. to consider and report, on the expediency of petitioning the Legislature that all the amendments of the said Charter may be taken into a new draft. Came up for concurrence.

Read & concurred.

Apeors

Order of the Common Council appointing Messrs. Walters, Wilkinson and Torr, with such as the Board of Aldermen might join, a committee to consider the petition of John Stevens, Samuel Norwood, and Henry Bap, Apeors, presented to the City Council on the fourth day of September, last, praying that their salaries may commence on the first day of April, instead of the first day of May, and report. Came up for concurrence. Read and concurred, and Aldermen Boies & Wales are joined.

Ordinances

revision of

Order of the Common Council appointing Messrs. Moore, Lodge, and Russell with such as the board of Aldermen might join, a committee, to carry into effect the resolves passed by the last City Council on the twenty ninth day of December, last, relative to the revision of the ordinances and by laws of the City, and the publication thereof, and also of all laws of the State affecting the City of Boston. Came up for concurrence. Read and concurred, and the Mayor and Alderman Savage are joined.

Greene

Common street

Petition of Gardiner Greene, Esq. praying that the board would revise the report of the committee, which was accepted by the last board making him an allowance for land and damages done to his estate in consequence of reducing Pemberton's hill, and widening Common street. Read and committed to Aldermen Welch and Spring, to consider and report.

Ayer

Common street

Petition of Charles Ayer, praying remuneration in damages, in taking his land to widen Berne street, the last

year. Read and committed to Aldermen Welsh and Spring, 19.
to consider and report.

Petition of Thomas Jones, praying remuneration Jones
of damage in taking his land to widen High street the last High street.
year. Read and committed to Aldermen Boies and Wales,
to consider and report.

Petition of Nancy Edwards, praying remuneration Edwards
and damage in taking her land to widen Salem street the Salem street.
last year. Read and committed to Aldermen Trenchley, Savage,
to consider and report.

Adjourned to Monday next, half past six o'clock, P.M.

Monday, January 22^d 1827.

Met according to adjournment

Present. The whole board except Alderman Wales.

Petition of the heirs of William Walter, pray Walter
ing that they may be indemnified for land taken some years George street.
since for the purpose of laying out George street. Read and
committed to Aldermen Welsh and Spring, to consider and
report.

Petition of Eliza Clap, praying that he Clap
may be indemnified for land taken the last year to widen Federal street Federal street.
Federal street. Read and committed to Aldermen Boies and Wales,
to consider and report.

The Mayor stated, that a special meeting

of the board was called on Saturday, last, at the Aldermen's Consulting Phy. room, at which only three members of the board were present; whereupon the Mayor laid the representation of the City Marshal, on the case of Daniel Summers, the members present, resolved, that the Mayor call a consultation of the consulting Physicians of the City, on the said case and report as soon as may be; accordingly at a special meeting of the board of Aldermen, held at the Mayor's house on Sunday afternoon, last, at which were present, the Mayor, Aldermen Belknap, Walsh, Loring, Boies and Savage. The Mayor laid before the board the opinion of the consulting Physicians of the City, which in obedience to the request of the members of the board of Aldermen, he had obtained in the case of Daniel Summers. The Mayor also stated that all the precautions specified and recommended in the joint opinion of consulting Physicians had been already taken by the City Marshal, under his authority, and the same being considered it was thereupon resolved, that, in cases of this nature, it is for the interest of the City, that entire publicity should be given, both as it respects facts and proceedings, and that therefore the Mayor cause the opinion of the consulting Physicians to be published for general information, and that it be accompanied with a statement of the following facts, made under the authority and sanction of this board, viz:

1. That at no former period was the general health of the City, probably ever more perfect than at the present moment.
2. That no case of infectious or contagious diseases, except the one above mentioned, is known to exist in this City.

3. That only two previous known cases of the small pox have
existed during the present or past season, in this City, and these
were of persons who arrived recently from New York, where they
had taken the disease; & who were immediately transferred to Rainsford Island.

21.

Isaac 1202
Consulting Phy.
Opinion.

4. That there has been no known case of communication of the
small pox, to any persons within the City, during the present or past season.

5. That the person, in relation to, whom the Consulting Physicians
have given their opinion, is a seaman, recently from Fayal, where he
was exposed to the small pox; that his present situation is in
a house, remote from any public street or highway; that he is insulated
and all communication with him prevented by fences and a
confidential officer stationed for that purpose. True copy of the
proceedings of the board. Josiah Quincy, Mayor.

Opinion referred to in the preceding. At a meeting at the res-
idence of Daniel Summers, in Brown's Court, near Vinchase Street, of
William Ingham, M.D. attending Physician of the said Summers, and
Thomas Welsh, M.D. James Jackson, M.D. John Gorham, M.D. &
John C. Warren, M.D. Consulting Physicians of the City, on the 21st
day of January, 1827, after examination of the said Summers, the fol-
lowing opinions were agreed to unanimously, and Thomas Welsh M.D.
was requested to communicate the same to the Mayor of the City, viz:

1. That Mr. Daniel Summers has a disease, which is capable of pro-
ducing the small pox or varioloid disease.

2. That he cannot be removed at this time from his present
residence without danger to his life.

3. That the public may be rendered secure by cutting off
all communication with the patient.

4. That for this purpose it is necessary to shut up the Court

22. or avenue in which Mr. Sumners resides by two fences; & that a man be placed in Mr. Sumners's house with orders to prevent the entrance of any person into the same, except medical attendants.

5. That at a proper time the house and its contents be purified under the direction of the resident Physician of the City.

Thomas Welster.

The above statement being read, thereupon ordered, that the same be put on record by the City Clerk.

Allocutions

(Ordered, that the sum of six hundred dollars be added to the appropriation for repairs, and all other contingent expenses of the Schools, and the sum of eighteen hundred dollars to the appropriation for incidental expenses and miscellaneous claims, and that the sum of two thousand four hundred dollars be withdrawn from the appropriation for salaries and compensation to the instructors. Came up for concurrence. Read and concurred.

Gen. Eng. Co. 2

from Man. - Mech.
arts.

Ordination of a committee of the New England Society for the promotion of Manufactures and the Mechanic arts, praying, that they may hold their next semi annual sale of American Manufactures, tools and other articles permitted by their Charter, in the Hall over Samuels Hall Market, during the last week in March, and for that purpose to obtain the use of said Hall, for twenty days, or so long as may be necessary for said sale. Read and committed to Aldermen Boies and Savage, with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred. The Com. Council joined on its part Messrs. Lodge, Williams & Everitt.

Petition of the Directors of the house of Industry, 23.

praying, that the City Council would apply to the Legislature for an additional act, granting them further powers, in relation thereto, as the interest of the City may require. Read and committed to the Mayor and Alderman Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined, on its part Mep^s Morry, James and Ward.

The committee of both branches of the City ^{Free bridge} Council, to whom was referred the petition of the Free bridge Corporation, respectfully report the following resolve, which they recommend for the adoption of the City Council. By order of the committee.
Josiah Quincy, Chairman.

Resolved, That, in case the Boston Free bridge Corporation shall build a bridge, such as the City Council shall direct and approve and shall locate it to the satisfaction of the City Council, it will be expedient for the City Council, to accept the same, and to assume the care and obligation of keeping the same in repair and to provide for lighting the same and for raising the draw or draws thereof. B. Read and accepted, and the resolve has ^{been} read. Sent down for concurrence. Came up concurred, with the following amendments at (A) insert "while South Boston shall be a part of the City of Boston." at (B) insert "upon such terms and conditions as shall be required by the City Council." Read & concurred as taken into a new draft. Vide Folio 44.

Resolved, That the Mayor, Aldermen Welsh, Loring & ^{Free bridge} Boies, with such as the Common Council may join, be a committee

24. to decide upon the terms and conditions on which the proposed
free bridge to South Boston shall be accepted, and the mode and
manner of constructing it, and on the place where the same
shall be located; together with all other matters which they may
deem important in relation to the same, and to report the result
of their proceedings for the final decision of the City Council. Sent
down for concurrence. Came up concurred, and the Common Council
joined on its part, Messrs Barry, James, Gould, Tuck, Jonathan,
Shaxton, Waters, Dorr, Meriam, Russell, Sprague, Lodge & Wright.

Marsh
Building Laws

The committee of both branches of the City Council,
to whom were referred the petition of Ephraim Marsh, and others,
praying for a revision of the several laws enacted to secure the
City of Boston against fire, having attended to that subject, res-
pectfully report, That, on examining the existing provisions of the
laws abovesmentioned, they were satisfied that a revision should be
attempted, and to the end that no delay might take place, they
have prepared a bill herewith submitted, on such principles as
they apprehend will be generally satisfactory, and at the same
time, that it does not, in any material respect change the pro-
visions relative to the erection of wooden buildings as at present au-
thorized by law; makes the law, relative to those buildings, consis-
tent with the general law upon the subject of other buildings, in
relation to security against fire; and also provides important ad-
ditional specifications of particulars, calculated still further to give
protection against that element. In preparing this bill, your com-
mittee have had the advice and assistance of twelve, or fifteen, among
the most distinguished masons and carpenters of the City, who all

concur in the expediency of the bill, and in their opinion that it 25.
will be satisfactory. As the bill thus prepared, is intended only to ^{Marsh}
give information to the City Council as to the general nature of the building laws.
system, they recommend, and as it will be necessary to resort to the
Legislature for its sanction, they have gone no farther in the details
of the bill than was necessary to exhibit the general features of
that system, deeming it more respectful to the Legislative authority
of the Commonwealth to have all the general and penal provisions,
and enactments to be inserted by the Legislature itself. In order
also that the City Council may have a distinct view of the ma-
terial provisions of the bill they have thought that it would be
expedient to present an abstract of those provisions and an explana-
tion of their principles. The bill is predicated upon the principle
of a classification of buildings, under three heads. —

1st Public buildings of every description, and buildings used in
manufactories peculiarly exposing them to hazard from fire.

These are enumerated in the first section. They must be of
brick or stone and have twelve inch walls, on all sides. —

If above twenty five feet wide, or fifty feet long, or twenty feet
high in any story their walls must be sixteen inches. if forty
feet wide, or sixty feet long, or twenty five feet high in any
story their walls must be twenty inches. Their roof to be slated,
or covered with some metallic substance — all their battlements
carried above the roof and capped with stone, or some metallic
substance. . . . 2^d The second class includes all buildings,
other than the above, which are more than twenty two feet
high all the walls of which shall be at least twelve inches
if more than forty feet wide or sixty feet long then their walls

26. must be sixteen inches of brick or stone. all partition walls, Marsh to rise in battlements through the roof and capped as above men building law tiond. There are specified in the second section which contains some provisions relative to partition walls, and which were deemed expedient and not objectionable. - 3rd The third class of buildings is specified in the third section and includes buildings which shall be not more than twenty two feet in height - then from the bottom of the cellar to the highest point of the level of the street must have twelve inch walls - from the level of the street to the eaves they may be eight inch walls - if above twenty five feet wide or forty feet long, then they must be twelve inch walls. - This section also contains important guards relative to partition walls and by its operation renders the law relative to ~~partition~~ brick buildings consistent with the law relative to two story wooden buildings; and will it is thought, tend still more to diminish the need to this last class of buildings. The fourth, fifth, sixth and seventh sections of the bill will sufficiently explain their objects and relate to further security, affecting roofs, coverings, partitions and woodhouses. The eighth section re-enacts the existing wooden building law; and the ninth section re-enacts the existing ten foot building law. This has been done, in order that the whole system should be in one act, and preparatory to a general repeal of all previous laws on that subject. The great object of the committee has been to make a clear and simple rule for the citizens on this subject as far as the subject was susceptible of it - and by bringing all the provisions of the law into one act to promote convenience and facilitate the understanding of the law.

in this respect. Your committee recommend the following resolve, 2^d.
as embracing all the proceedings which seems necessary perhaps
suitable for the City Council to adopt on the subject. - All
which is respectfully submitted, by order of the committee.

Asiatic Quincy, Chairman,

Resolved, That a joint committee of the City
Council be appointed with authority to apply to the Legis-
lature of the Commonwealth for a law revising all the laws
now existing, relative to the protection of the City of Boston
against fire and embracing in one statute all those provisions,
such in their wisdom they shall deem it proper to retain or
adopt; and that the said committee be instructed to endeavor
to obtain as far as possible an act the provisions of which
shall contain those which are embraced in the preceding re-
port and in the proposed act which was therewith submitted
to the City Council. Read and accepted, and the Mayor,
Aldermen Bellows, Loring, Boies and Savage, with such
as the Common Council may join be a committee to carry
the same into effect. Sent down for concurrence.

The auditor of accounts exhibit at the various specific Auditors
appropriations as the same appear on his books, at this date.
Read and sent down.

Nestor Houghton, licensed as an Auction - Auctioneer.

etc. -

Adjourned to Monday next half past six o'clock P.M.

28. Special meeting.

Friday January 26. 1827.

Present The whole board.

Municipal Court

Petition of the foreman of the Grand Jury, and the several foremen of the traverse Juries, at the Municipal Court, & others, praying that the present place for holding said Court may be changed to some more suitable place, the present location is rendered extremely inconvenient by annoyances from the Jail, & the kitchen of the keepers house, as well as the boilers of the Jail being under the Court house, and the Court room being much too small. Read and committed to the committee on the Jail &c. to consider and report.

Vernon

On the petition of William Vernon Petitioner, that the Attorney who commenced an action and recovered judgment against said Vernon, for fifty dollars, a penalty for a violation of the building laws, be authorized to discharge said Vernon from the penalty which appertains to the City, he paying all costs. —

Lunatics

The Mayor reports upon the subject of Sennet, and the other lunatics in the house of correction. 1. They cannot be transferred to South Boston consistently with the comfort of either establishment, inasmuch as they would disturb the sick and aged, & which the inmates of said House of Industry are chiefly composed, in the paroxysms of their madness. — 2. They are perhaps now as well provided for, and with as little inconvenience as is possible to

others in the state of our existing establishments; measures have 20.
been taken under the Mayor's direction to cause the cells in
which they sleep to be regularly and daily cleaned, and all
the poor manics now in them, are permitted in the intervals
of their reason or harmlessness to have free access and use of
the entry - two persons belonging to the House of Correction being
kept with them to take care and prevent them from doing
harm. This is the best provision that can be made at the
present season and is the Mayor has reason to believe satis-
factory to John L. Abbott, Esq. Chairman of the Grand Jury, who
has taken an interest in this subject and has visited in com-
pany with the Mayor, the House of Indebted and that of Juven-
ile offenders and acquiesces in the opinion above expressed. At the
same time, it is desirable that some more eligible provision should
be made for this class of the incurable insane, who are thus con-
fined, from considerations of the safety of the community, either
under the authorities of the City or Commonwealth.

Josiah Quincy.

Read and committed to the committee on the Jail and
House of Correction, to consider and report.

The Mayor reports that Dr. Smith, the Resident Phy-
sician at Rainford Island, directed a letter to him, Small Pox.
in relation to detaining persons on the Island, who, though
vaccinated have been exposed to the contagion of small pox;
at sea. The Mayor submitted the question to the Consulting
Physicians for their consideration and report, who gave it as
their opinion, that such persons ought to be retained until

30. fifteen days shall have elapsed, since their last exposure to small pox; that is until the usual period of sickness has elapsed by." Accordingly the Mayor addressed a letter to that effect to said Resident Physician, and directed him to govern himself accordingly in his said office, until otherwise directed. Read and accepted, and ordered accordingly.

Adjourned to Monday next, half past six o'clock P. M.

Monday January 29th 1827.

Met according to adjournment. —

Present The whole board.

Engine N^o 9.

Petition of Engine company N^o 9.

Praying, that another story may be added to their engine house, in Mason street, for the accommodation of said company.

Read and committed to the Mayor, Edmund Willows Clerk.

To consider and report. —

Gaol keeper

Communication from Stephen Pridden

Deputy keeper of the Gaol, in the County of Suffolk, stating that he had discovered in said Gaol several keys intended to unlock the doors of the Prison. Read and committed to the committee on the Gaol and house of Correction, to consider and report.

Suckerman

Petition of Edward Suckerman, and

Market street

others, owners of estates on Market street, praying, that the name of said street may be changed to New Cornhill. Read & the corporation orders, that all persons who were obliged to the same, be notified to appear before this board, on Monday next, at half past six

six o'clock & m. by a notice to be published in the newspapers. — 31.

Petition of John B. Andrews, praying, Andrews
compensation for land taken to widen High street, the last year. High street.
Read and committed to Aldermen Boies and Wales to consider
and report.

Petitions of John Gray, and the heirs Gray
of Elizabeth Gray, praying to be indemnified for land taken. Hanover street.
the last year, to widen Hanover street. Read and committed
to Aldermen Boies and Wales, to consider and report.

The committee on the application of Ewer
Charles Ewer, are of opinion, that he is entitled to receive Washington st.
for his land taken to widen Washington street, the sum of two
dollars the square foot, and report the whole sum to be paid
him is two thousands and five dollars, and sixty seven cents,
which land was taken April 6. 1823, reference to plan taken by
A. B. Fuller, under date April 8. 1823. Jeremiah S. Boies
Thomas B. Wales.

Read and accepted, and ordered accordingly.

The committee appointed to make ar- Scavengers Carts
rangements the present year with respect to the scavengers carts, House dirt.
and the removal of house dirt, reported an agreement which the
committee had agreed to with James P. Chaplin and Nathaniel
Griggs. Read and thereupon ordered, that the Mayor
be authorized to execute the same, on the part of the
City. —

Upon the petition of the Directors of the House of Industry, praying, that three lots, which they have erected on the west corner of the City farm, at South Boston, may be appropriated for the burial of the dead, from said House, also from the House for the employment and reformation of juvenile offenders, and that a funeral undertaker may be appointed for those establishments. Read and thereupon, ordered, that the ground in which said lots are situated be and hereby is declared to be the burying place for the aforesaid establishments, until the further order of this board and William Stone, the Superintendent of the House of Industry, do and hereby is appointed a funeral undertaker for the aforesaid establishments, he to report to the Superintendent of burial grounds, every death which may happen, and the name, age, complaint, and where the body is deposited.

Hayweighers.

Amuel Phillips was nominated and appointed hayweigher for the Southern district, and Thomas R. Hopkins, was nominated and appointed hayweigher for the Northern district. Sent down for concurrence. Came up concurred.

Hayweighers' accounts

Ordered, that Aldermen Britton & Fager be a committee to settle the accounts of the hayweigher of the Southern district the last year. And Aldermen Tonnolly and Savage, be a committee to settle the accounts of the hayweigher for the Northern district, the last year.

County accounts

Ordered, that Aldermen Irving & Wales, be a Committee on County accounts, the present year.

Ordered, that the committees of the 33.

several districts prepare and lay before this board estimates of the paving estimates, having that it is necessary to be done in their respective districts, the present municipal year, after consulting the Superintendent of Streets.

Ordered, that the Copy of the Plan Boston plan of the town of Boston, published in 1743, by William Price, & copied by Alexander Wadsworth, December 1826, be framed and glazed, and placed in the Aldermen's room.

Samuel Devens Harris, Esquire, was nominated and appointed Chief Engineer of the fire department for the present year, by a unanimous vote. Sent down for concurrence. Came up concurred.

Chief Engineer
fire depart.

The board proceeded to elect and appoint Engineers of the fire department of the City, for the present municipal year, and the following gentlemen were elected and appointed accordingly, to take rank in the order in which they stand. 1827. Daniel C. Bacon, George Parnacott, Alexander M. Gibbs, Benjamin Darling, Morace Fox, Henry Towle, Junr, Joseph D. Emery, Ephrus Nelson, Joel Prouty, William H. Proutice, James Clark, Charles Wells, Nathan Tulas, Mark Weare, and Benjamin L. Reed. Sent down for concurrence. Came up Concurred.

Engineers

* Decided.

George Thomas was nominated Public Auctioneer an Auctioneer.

The committee to whom was referred the Chief Engineer's general return of the fire department, and who were directed to consider what alterations are necessary in the fire department, respectfully report, that the Mayor & Aldermen be requested to cause the report of the Chief Engineer to be printed in a single sheet, and distributed to the members of the fire department, and of the City government. They also state, that the provision in the fifth section of the act of the Legislature, establishing the fire department, whereby it is made requisite for its members to produce to the commanding officer of the militia company, within whose bounds they reside, on or before the first Tuesday of May in each year, a certificate signed by the Mayor, has been found injurious and oppressive to the members of that department, inasmuch as those who are admitted subsequently to the first Tuesday of May, have been deemed to be deprived of the benefit of the exemption from militia service, and have been compelled to serve both in the militia and fire department. A doubt has also been raised, on the construction of the above mentioned act, whether the powers of the firewards in relation to the storage, safe keeping and transportation of gun powder are transferred by force of its terms to the Chief & other Engineers of the City. Your committee, therefore, recommend, that the Mayor and Aldermen be authorized and requested to apply to the Legislature for an act amendatory of the several acts of the Commonwealth, in the respects above mentioned. They also recommend, that vacancies which already exist, or which may occur in the office of Engineers be not filled until the farther order of the City Council. All which is

respectfully submitted. By order of the Committee: 35.

Isiah Quincy, Chairman.
Read and accepted. Sent down for concurrence. Came
up concurred.

The committee of both branches of Roxbury &
the City Council on the subject of the line between Roxbury Boston line
and Boston, which runs in back bay or receiving basin
of the Boston and Roxbury Mill Corporation, respectfully re-
port, that the line run in the year 1823, by which certain
exchanges of territory were rendered necessary between Roxbury and
Boston, has never been sanctioned by the City Council and that it
is inconsistent to sanction the same, until an attempt shall be
made to effect the establishment of a line more convenient and
distinct, in which your committee apprehend the interest of
the said town and City mutually concur. For this purpose they
recommend passing the following resolve, which is respectfully
submitted: By order of the committee. Isiah Quincy, Chairman.

Resolved, That the Mayor and Aldermen do and they
hereby are requested to attempt to effect an arrangement with
the town of Roxbury, whereby the line between that town and
the City of Boston, which runs in the back bay or receiving
basin of the Boston and Roxbury Mill Corporation may be
made more simple and distinct and more conformable to the
apparent interests of both Roxbury and Boston. Read & accepted
and the resolve passed. Sent down for concurrence. Came up
concurred.

The committee to whom was committed Boston & Roxbury
the Mayor's communication to the City Council on the subject of Mill Corp.

36. The negotiation by and between a former committee, and the Boston & Roxbury Mill Corporation, respectfully ask leave to report. That they have attentively considered the matter submitted, and made themselves fully acquainted with the terms and conditions of the agreement entered into between the parties, which agreement has been carefully examined by the distinguished and able Counsellors employed by the City, in this behalf, Messrs. Sullivan, Shaw and Hubbard, who have expressed their entire approbation, both as lawyers and citizens, as will appear by their note to the committee now on file. Your committee therefore, unanimously, recommend to the City Council to ratify and confirm the said agreement and to execute any and all other instruments or deeds of conveyance, which may be necessary to render the said agreement complete, with the following amendment or addition which is explanatory of the contract, viz: That in the event of both parties building on their flats east and west of the channel, the western boundary line of those flats which are to revert to the City in the event of both parties so building as provided in the contract shall be as follows—Beginning on the Mill Dam six hundred and ninety feet from the westerly side of Charles street, and running southerly in a straight line to a point in the line between Josiah Vose's and the City's land, nine hundred and twenty six feet three inches from the northerly corner of said Josiah Vose's house on Pleasant street, measuring on the line of said Vose's land as marked on the plan of A. T. Fuller. And in order to carry the agreement into ^{full} effect, your committee submit for considera-

him the following Resolves. An order of the Committee.

31.

W. Bellows, Chairman.

Resolved, That the Mayor be authorized and directed to execute all deeds of conveyance to the Boston & Roxbury Mill Corporation which may be necessary to carry the agreement entered into, by and between the City of Boston & the said Boston and Roxbury Mill Corporation into effect, under the advice of the Council formerly employed. - Read & accepted, and the resolve passed. Sent down for concurrence. Came up concurred.

The committee of both branches of the City Council, who were directed to consider what amendments may be necessary to be made in the City Charter, by the Legislature of the Commonwealth, respectfully report, That the amendments suggested, and which they understand to have been the chief object of raising that committee, resulted from the necessity supposed to exist of an application to the Legislature, in order to supply vacancies occurring in the Common Council, or in any board, chosen under the City Charter by the citizens.

On reviewing to the terms of that charter and considering them in connexion with the laws of the Commonwealth, previously existing, your committee are of opinion, that there is no necessity of any such application. By the first section of the City charter "all the rights, immunities, powers and privileges appertaining to the town of Boston, are to be enjoyed by the City of Boston," and the administration of all fiscal, prudential and municipal concerns is vested in the Mayor, Aldermen and Common Council."

38 By an act of the Legislature of Massachusetts, passed in the year 1785. Chap. 75. it is enacted, that when by reason of non-acceptance, death, or removal of any person chosen to office, in any town, at the annual meeting for the choice of town officers, or at any other time, or by reason of a persons becoming non-compos, there is a vacancy, or want of such officers, the town being orderly assembled, &c. may proceed to a new election or choice of officers, to supply and fill up such vacancies." Now committee cannot question, that by force of the terms of the City Charter, above cited, and of the above act, the right to call town meetings for the purpose of filling such vacancies, and of the citizens so assembled to supply such vacancies, is vested in the City and its Councils according to the forms established in like cases. And these forms having been already established by an ordinance of the City Council, there seems nothing more to be necessary, than that whenever a vacancy shall occur, as above expressed, that the Mayor and Aldermen, shall on notice thereof, proceed to issue warrants, for the meeting of the Citizens, in the usual forms and cause the same to be served, executed, and returned as the City Council has by its ordinance, established. All which is respectfully submitted. By order of the Committee,
Josiah Quincy, Chairman.

(Read and accepted). Sent down for concurrence. Concurred.

New England.

The committee, to whom was referred a petition from a committee of the New England Society for the promotion of manufactures and the mechanic arts, praying, that they may hold their next annual fair of American manufactures

wood and other articles, permitted by their charter, in the Hall over Faneuil Hall Market, having duly considered the subject, do report, that the said society now desires an earlier period than that mentioned in the petition for the benefit of buyers and sellers, and therefore they recommend the passage of the following order. Jeremiah S. Davis, Chairman,

Ordered, that the New England Society, for the promotion of Manufactures and the Mechanic arts be permitted to use the Hall over Faneuil Hall Market, from the fifth day of March next, to the twenty fourth day of the same month inclusive, for the purposes specified in their petition. Read and accepted, and the order passed. Sent down, for concurrence. Came up concurred.

Memorial of Michael Donnelly, relative to building a Dyke in the back bay, praying an allowance for the loss of five hundred dollars, which he has sustained by reason of the same. Read and committed to Aldermen Loring and Alger, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Loring, Dyer and Lodge.

The ordinance providing for the appointment of an Attorney Solicitor for the City. Read and committed to Aldermen Moses Savages with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred. The Common Council joined on its part. Messrs Williams, Parker (N^o 10) Bradford.

Adjourned to Monday next, half past six o'clock P. M.

Monday February 5th 1825.

Met according to adjournment.

Present - The whole board.

Merrill

Dispensary Phy.

Vaccination.

Petition of Samuel Merrill; and others,

Physicians to the Boston Dispensary, stating, that they are frequently called upon to vaccinate poor persons, they therefore implore that the subject of a general vaccination may be considered by the City Council, with the hope that measures may be adopted in regard to it, which will relieve them of this labour. Read in Common Council and committed to Messrs. Bradburd, Kimonds and Dyer, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Boies and Savage are joined.

Gavett

Watchmen

Bradlee

Petitions of James M. Gavett, and others, Watch

men and Joseph P. Bradlee, and others, praying, that the number of the Watchmen may be increased. Read in Common Council and committed to Messrs. Bigelow, Lewis and Atkinwall with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Spring and Wales are joined.

Jackson

Ordered, that the sum of three hundred & seventy five dollars, be, and the same is hereby appropriated as a full compensation for services rendered the City by Thomas Jackson, up to the twenty fifth day of December last. Came up for concurrence. Read and concurred.

(Ordered, that the further sum of twenty M.
five hundred dollars, be added to the appropriation for the Directors & Appropriations
of the house of Industry, at South Boston; and that the sum of
twenty two hundred and fifty dollars be withdrawn from the res-
erved fund, and the sum of two hundred and fifty dollars from
the appropriation for salaries of instructors. Came up for con-
currence. Read and Concurred.

Petition of George Odiorne and Thomas Odiorne,
Odiorne, owners of Spot Pond, in Monckham, offering to supply the City
the City with fresh water, from said Pond, to be conveyed by a
aqueduct; Moved, the City Council approve of the project, and will
provide such reasonable rules and regulations for the managing dis-
tributing and conducting the water as may present to the minds
of the associates as far respect of remuneration. They will be willing
to assume all, may all, and receive all, securing however to the
City a portion of the income, or the association will secure to the
City a portion of the water free of expense for the privilege of
supplying others, who would be willing to pay for it. Read
in Common Council: and committed to Messrs. Loring, Enos, W. W. Ware,
Bacon and Williams, with such as the board of Aldermen might
join, to consider and report. Came up for concurrence. Read
and concurred, and the Mayor, Aldermen, Fellows, Messrs.
Alger are joined.

(Order of the Common Council, appointing Sea Wall
Messrs. Lodge, Loring, Wilkinson, Vinonds, and Morse, with such Charles St.
as the board of Aldermen might join, a committee to consider & report upon

42. and report upon the expediency of building a sea wall on the boundary line of the City's land or flats on the west side of Charles street, as recently settled by the Boston and Roxbury Mill Corporation, and filling up and levelling the flats between Charles street and said line, and report an estimate of the expense of executing the same. Also to consider and report upon the expediency of making the boundary line of the southern boundary of the flats as recently settled with said Boston and Roxbury Mill Corporation, and in what manner the same ought to be done. Came up for concurrence. Read and concurred, and Aldermen Welsh, Loring, Fennelly and Boies are joined.

Loring
Franklin Sch.
house

Petition of L. Loring, Junior, and others, praying that the City will rent them the old Franklin School house, on Common street, for the purpose of holding religious meetings therein. Read and committed to Aldermen Boies, Wales & Alger, with such as the Common Council may join, with instructions to inquire whether it would not be for the interest of the City to make sale of said estate. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Russell, Josiah Rose, Phillips and Little.

Winthrop
Merchants Row

Petition of Thomas L. Winthrop, Junior, praying to be indemnified for land and store taken the last year to widen Merchants Row. Read and committed to Aldermen Boies & Wales, to consider report.

Fire department

Ordered, that the Mayor, Aldermen Loring, Colvage be a committee upon the fire department. —

The Mayor laid before the board, the 43.

draft of a memorial to the Legislature, praying, some modifica- Fire department
tion in the law, establishing the fire department. Read and
thereupon, ordered, that the Mayor be authorized to sign "instruct
the same, agreeable to the report of the committee on that sub- Mem: Legis.
ject passed the 29th ultimo."

Petition of Thomas H. Jones, and others. Jones
owners and occupants of stores in Kilby, Central and Water streets, Kilby, Central &
and Liberty square: praying, that an additional number of Watch Water streets &
men may be assigned to that section of the City, also praying, Liberty square:
that the lamps may be placed at suitable distances in that
part of Kilby street formerly Adams street, and the south part
of Water street. Read and committed to Aldermen, Davis and
Wales to consider and report upon the subject of the lamps.

Ordered, that warrants be issued for a meet Warrants for
ing of the Citizens of Ward N^o 4, on Wednesday, the 14th instant, Ward meetings
at 12 o'clock M: for the purpose of electing an Overseer of the Ward N^o 4 & 5.
From a said Ward, in place of Eppan Smith, Esq. who declines
serving. Also, the Citizens of Ward N^o 3, at the same time,
for the purpose of electing a Common Council man, in place of
Lucius M. Sargent, Esq. who declines serving. The Poll in both
said Wards to be kept open until half past 2 o'clock P.M.

Ordered, that the com^{ee} on the market be instructed Market.
to consider & report upon the subject of boys & idle persons incumbering the market
at house, & what order it is necessary to adopt thereon.

44.

Broad Purchase
streets.

Resolved, that the safety and convenience of the Inhabitants require, that Broad street, at the corner of Purchase street should be widened; and the same is laid out, and widened; and the same is laid out and widened in manner following 1827. Beginning at the northeastern corner of an old brick building on land of William Foster, formerly a distillery; Hence running southerly by the easterly side of said building, two feet & three inches; then southeasterly, in a straight line to the front of new brick building belonging to said Foster, seventy feet, to the line of Purchase street; Hence northwesterly, by the present line of the street, to the point of beginning; taking from the land of said Foster two hundred and fifty four and ten twelfths square feet, according to a Plan of the same taken by J. P. Fuller; dated February 5th 1827.

Boston free
Bridge.

Vide ante p^{re} 23.

Resolved, That in case the Boston free bridge Corporation shall build a bridge such as the City Council shall direct and approve, and shall locate it to the satisfaction of said Council, it will be expedient in the City to accept the same; and to assume the care and obligation of keeping said bridge in repair, and to provide for lighting the same, and for raising the draw or draws thereof so long as South Boston shall remain a part of the City of Boston, upon such terms and conditions as shall be required by the City Council. Read and passed. Sent down for concurrence. Came up concurred.

Roxbury & Boston
line

Ordered, That the Mayor be authorized and requested to write to the Selectmen of Roxbury, to obtain their consent, that some more convenient line, than the present, may be

run between that town and this City, in the Back bay, or the 115.
receiving basin of the Boston and Roxbury Mill Corporation.

Communication from the City Marshal, City Marshal
stating, that Daniel Somers, who for some time past has been sick, Somers
with the small pox, has so much recovered from the disease, that
it has been considered proper agreeably to the opinion of the con-
sulting Physicians, to smoke and otherwise purify his residence, w^h
has been done under the direction of Dr. Smith. The house is sit-
uated in about in the rear of Purchase street, which was block-
aded the 21st ultimo, has been laid open to the publick, & the
guard discharged. Read and referred to the committee on quar-
antine, to consider and report, in relation to the expense attending
the same.

Communication from Dr. Smith, Resident Physician, Resident Phy-
cian of Rainsford Island, stating, that he has received a certificate, (C)
from Doctors Welsch and Ingalls, stating, that the house in which
Daniel Somers has been confined, with a supposed contagious dis-
ease, may be cleansed under the direction of the Resident Physi-
cian, and that no danger is to be apprehended, from admitting
persons to visit the house, nor is there danger to be feared from
permitting the said Somers to mingle with the family, in w^h
he may reside after the said purification has been completed.
Read and ordered, to be published in the newspapers.

The committee on the petition of Elisha Clap, Clap
making, compensation for one hundred and sixteen square feet of Federal Land
Land taken to widen Federal street, on the seventh day of March

16. In 1825, reported, that he is entitled to one dollar and fifty cents, the square foot, amounting to one hundred and seventy four dollars. Read and accepted. —

Armoury

Communication from the auditor of accounts inclosing a schedule of property in the Armoury in Tancred Hall, belonging to the City, and recommending that the same be sold. Read and Committee to Aldermen Bellows & Coles, to consider and report.

Bellamy
Deer Island

The committee charged with the consideration of William Bellamy's application for a lease of Deer Island, report, that the Mayor be authorized to lease to said Bellamy said Island, for ten years, on the following conditions viz: The rent to be four hundred dollars, per annum, payable half on the first days of October, and half on the first days of April, of each year, and taxes; said Bellamy is to give his brother Charles Bellamy as surety for the payment of the rent, & performance of the contract; Possession of the Island to be given on the first day of April, next, or soon after as the present tenant can be lawfully removed; no repairs to be made by the City, nor allowance made for repairs, during the lease; the premises to be delivered in good order, at the termination of the lease, & as much manure to be returned by the petitioner as he may receive on receiving possession; no balist to be taken from any part of the Island; said Bellamy shall have leave to remove any buildings at the termination of the lease which he may erect, during his possession; but the City shall in no case

be obliged to purchase the same, at any price. If the City sell 47.
the premises before the termination of the lease, the petitioner to
vacate the Island, on receiving such damage as shall be awarded
by referees to be mutually chosen by the parties. Resolved,
(submitted by order of the Committee). Rob^t Fennelly, Chairman.
Read and accepted. Sent down for concurrence.

Came up concurred.

Estimates of paving to be done in the City. Paving.
the present year. Read and ordered to lie upon the
Table.

Ordered, that the Mayor, Aldermen Welsh, Blake,
and Savage, be a committee to appear before the Legislature, (South Boston)
agreeable to the order of notice on the petition of George Blake, Dan,
and others, praying to be incorporated, with power to endorse
the flats at South Boston, and making a dam thereon.

The committee on the Gaol, to whom was refer Thaxter & Smith
red the accounts of Seth Thaxter and Jeremiah P. Smith against the amounts
County of Suffolk, and City of Boston, respectively, reported, that
they do not find, that any authority for the services rendered was
granted by the Mayor & Aldermen, in the years upon the services
should to have been rendered, and that the same ought not
to be paid. — Read and accepted.

Adjourned to Monday next half past six o'clock P. M.

Monday February 12th 1827.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

House of Industry

The committee of the City Council on the representation of the Directors of the House of Industry, respect fully report, that in the opinion of the Directors of the house of Industry and of your committee, there are doubts concerning their authority relative to the binding out of poor children, and also generally concerning their power to make settlements with the other towns of the Commonwealth relative to the support of their respective poor, which the Legislature of the Commonwealth have alone power satisfactorily to remedy and remove. Your committee therefore respectfully recommend an application to the Legislature for that purpose. By order of the Committee. Josiah Quincy, Chairman.

Read and thereupon ordered, that the Mayor and Aldermen be and they hereby are requested to apply to the Legislature of the Commonwealth for such a modification of the acts relative to the powers of the Directors of the house of Industry, as will enable those Directors to exercise the moral powers of overseers of the poor, touching the binding out of poor children, and also relative to the settlement and prosecution of the rights of the City in respect of paupers. Sent down for concurrence. Came up concurred.

Grand Jury
State of Gads

The Grand Jury's representation of the state of the Jail and House of Correction, and the situation of certain

maniacs confined therein: and recommending some alteration in their situation. Read and committed to the Mayor, Aldermen Tinnelly, and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence: came up, concurred, and the Common Council joined on its part. Messrs. Moray, Bradlee, Bigelow and Dyer.

The committee on the Gaol, to whom Gaol
was referred the communication of S. Bradlam, keeper of that Gaol
prison of the twenty ninth day of January, last, having next morning visited and examined the Gaol in Leverett street, on the east
only side of the yard, of which the upper story is appropriated
to debtors, are of opinion that the kindness of Mr. Bradlam to
all within his precincts entitles him to expect every assistance
which the City can supply to secure him from the great loss to
which by any escape from the prison he would be exposed, and
that the facility afforded to any person to communicate with the
imprisoned debtors ought not to be diminished, though it may
be better regulated, and that the only way of checking up such
communication of debtors in confinement with their friends from
without, if the central arch be closed against visitors, will be
by running a gallery or corridor on the sides of the external
wall below the third story, and above the second story. An
advantage will arise from such gallery in preventing the com-
munication of spirituous liquors or tools from the upper story to lower
ones by the windows. Which is submitted Robert Tinnelly.

Read and accepted, and thereupon ordered, that the committee
on the Gaol and house of Correction be authorized to erect a

50. corridor or gallery, of iron on the two sides of the eastern prison on Leverell street for the accommodation of imprisoned debtors.

Health Comr

Ordered, that the Mayor's message made to the City Council, on the twenty-seventh day of December, last in relation to the quarantine ordinance and compensation to Thomas Jackson, Health Commissioner, Read and committed to the Mayor and Alderman Savage, to consider and report.

Tuckerman

Petition of Henry H. Tuckerman and others, praying, that Merchants Row, be numbered anew. Read and thereupon ordered, that the Mayor be authorized to cause said street to be numbered, in the manner prescribed by an order of the Board of Aldermen, in relation to the numbering the streets.

Fish box

Ordered, that Aldermen Fennelly, Savage be authorized to rent the fish box, at the bottom of Hanover street, if the same be not now under lease.

Mayor's message

Gentlemen of the City Council.

Engine houses

I deem it my duty to bring before the City Council at this early period of the year, the subject of the enlargement of several of the Engine houses of the City and the accommodating two or three of the companies with new ones. The present fire department is placed in a very complete state of efficiency, so far as respects Engines, hose and every species of apparatus. Every laudable and exemplary spirit of zeal and activity exists in all the fire companies, &

51.
In this spirit it is the interest of the City to encourage, and not
permit to abate from any want of reasonable accommoda- Engine houses
tion. The consequence of the enlargement of all the companies &
the increase of their apparatus, as well as the additional room
requisite for drying and packing their hose, in order, more than
is essential, not only to the convenience of the companies, but
also to the preservation of the hose. Besides some of the com-
panies are wholly destitute of any place for their meetings, which
has rendered it necessary for them to resort to public houses for
that purpose; a practice, which not only increases the expense
of such companies, but also forms a serious objection in the
minds of many to become members. I have thought it proper to
bring this subject to the attention of the City Council at the
present time on two accounts. First, to the end that estimates
may be made and considerations had, as to the necessities of the
Department in this respect, so as that a complete knowledge
may be attained preparatory to the appropriations for the ensuing
year. Second. Because, propositions have been made by Mr.
Sullivan owner of the land on one side of the front of the
County Court house, and by Mr. Richardson on the other, where
by two of the companies may be accommodated with very con-
venient and satisfactory locations, either by rent or purchase, should
the City Council sanction the arrangement and on terms that
will not probably be deemed unreasonable. Josiah Quincy.

Read and committed to the Mayor, Aldermen Bellows & Savage,
with such as the Common Council may join, to consider & report.
Sent down for concurrence. Came up concurred, & the Com. Council joined on
its part Messrs. Ward, Everett, Barry, Dorr, Meriam & Waters.

Petition of Jonathan Simonds & others,
Simonds Praying, that Second street, leading from Severell street to
Second street Brighton street may be paved. Read and committed to
 Aldermen Welsh and Loring, to consider and report.

Williams
mortgage

Ordered, that the Mayor be authorized
 to discharge a mortgage given by John D. Williams, to the City,
 bearing date April 1. 1825, to secure to the City, the payment
 of fifteen thousand, four hundred dollars, the sum having been
 paid.

Engineer
declines

(Communication from Charles Wells, Esq.
 declining to accept the office of Engineer of the fire depart-
 ment, to which he had been elected.

Boston ice bridge

Petition of the Boston ice bridge Corpora-
tion, and the order of notice thereon, from the Legislature,
 praying, that they may be allowed to receive toll, for car-
 riages passing over said bridge until the City of Boston
 shall accept the same. Read and sent down.

City Marshal
Wilson

On the representation of the City Marshal,
 in relation to a prosecution against one Wilson, for removing
 house dirt contrary to law: Ordered, that the Mayor be au-
 thorized to employ Charles P. Curtis, Esq. as counsel to attend
 to the same in behalf of the City.

Adjourned to Monday next, half past six o'clock P.M.

Monday February 19th 1827.

53.

Met according to adjournment.

Present. The whole board except Alderman Bellows.

Petition of the Kennebec Steam Navigation Company, praying, the assent of the City Council to their petition before the Legislature, praying, leave to erect an island wharf, on the flats east of the south channel, for the protection and accommodation of the steam boats. -
Read, and thereupon ordered, that the Mayor, Aldermen Boies and Savage with such as the Common Council may join, be a committee to attend to the subject matter of said petition before the Legislature, and consider and report the manner in which the proposed wharf will affect the harbor, and the interests of the City; and that the said committee be instructed to request the Legislature to postpone the further consideration of that petition until their next session, to the end, that the City Council may take such measures, after due consideration, as the great interests involved in the question may require. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Ward, Bacon, Hallett, Wilkinson & Lodge.

Mr. George Lane, member elect of the Common Council for Ward No 3, came up attended by Mr. Paters, and he was duly qualified to take his seat as member as aforesaid, by taking the usual oaths required by the Constitution and laws, before the Mayor.

Communication was received from Epht. Overman of Poor Jones, declining the acceptance of the office of Overseer of the Poor, to which he was elected in Ward No. 4. Read & Warrants for Ward Thereupon ordered, that a warrant for a ward meeting be issued to be held on Saturday next, 4th Block No. in a new election. The gate to be kept open until 2 o'clock P.M.

Andrews

High street.

The committee to whom was referred the application of John B. Andrews, reported, that he is entitled, to one hundred and forty two dollars, and seventy one cents, in full compensation for his land taken to widen High street, and for his expenditure in making a stone wall and board fence on that street. Read & accepted.

Somes

High street.

The committee on application of Thomas Somes, for payment of land taken from him to widen High street reported, that they have appraised the same at one dollar the square foot and the owner of the land is entitled to receive one hundred and twelve dollars, and ninety one cents, in full payment. Read and accepted.

Foster

Broad street.

The committee on application of William Foster Esquire, as a claim, for his land taken to widen Broad street. Reported, that the said Foster is entitled to the sum of one dollar, and twelve and an half cents, the square foot, amounting to two hundred, eighty six dollars, and sixty eight cents in full compensation. Read and accepted.

The committee to whom was referred 35.

the application of Charles Wade for damages sustained by reason of taking down the store of Downer and Baldwin, to order Merchants Row, ask leave to present the following statement given by himself. That he was tenant, without written lease, that the time of occupation was to terminate the 11th day of October, last; or to continue a year longer at his option; the rent to be four hundred dollars, per annum; that he was not notified to remove by the City authorities, but was directed so to do, by said Downer & Baldwin; that he removed the 1st July, to the store of M. Rice for which he paid a rent of 500 dollars the month, and that he continued to pay rent to said Downer and Baldwin to the present time. If he has any legal claim upon the City, for any part of his enormous account, your committee must refer the amount to the whole board.

Jeremiah S. Boies.

Read and thereupon ordered, that the petitioner have leave to withdraw his petition.

Order of the Common Council committing Hoyt
the petition of Calvin Hoyt, praying that the City would sell him at their right to a piece of land on Holland street, of which he holds the unexpired lease of twenty years and some months, to Messrs Bigelow, Truman and Gould, with such as the board of Aldermen might join, to consider and report.
Came up for concurrence.

Read and concurred, and Aldermen Bellows and Wales are joined.

Boston Ice
Bridge

The committee of the City Council, on the memorial of the Boston Ice Bridge Corporation, respectfully ask leave to report, in part: That having agreed upon the model, workmanship and materials of which the proposed Ice bridge and its abutments shall be built, they submit the same to the consideration of the City Council; that the subject of the location of said proposed Ice bridge, they not deeming it necessary to decide immediately, and at the request of the memorialists, have postponed for future decision, which when made, they will have the honor to report to the City Council. Subjoined to this report is a report of a sub-committee of this committee marked **A**, with a document referred to therein marked **B**, and two resolutions annexed. This committee, after having considered and modified that report, passed the several resolutions subjoined to this report which they recommend to the City Council for its adoption. By order of the Committee:

Josiah Quincy, Chairman

Resolved, That the abutments of the proposed Ice bridge to South Boston, shall be built similar in model, materials and workmanship to the Boston and Roxbury Mill Dam or Western Avenue, and not less than forty feet in width.

Resolved, That the remaining part or frame work of the said bridge shall be built similar in model, materials and workmanship to Canal or Craigie's bridge, with such improvements, however as experience in the use of that bridge may suggest.

Resolved, That as soon as said Corporation shall be ready to commence the building of said Ice bridge the

The City Council shall have the privilege of appointing some 5%
skilful and experienced Engineer; to direct and superintend
the construction of the same, at the sole expense of said
Corporation. Read and accepted, and the several resolves
passed. Sent down for concurrence.
Came up concurred.

The committee on the petitions of Smith & Bell
Ebenezer Smith and Edward Bell have viewed the premises Mill pond street
with Stephen P. Fuller, the Surveyor, and agreed upon the
elevation of the streets and edge stones referred to in their
several petitions, and report that the same be carried into
effect according to the report of said Fuller, hereto annexed;
with the understanding that the City will not be compelled
to raise the above streets until the further order of the
Mayor and Aldermen. Jeremiah S. Boies.

To the committee of the board of Aldermen of the City
of Boston, on the petitions of Ebenezer Smith and Edward
Bell Gentlemen, I have taken the levels of the streets referred
to in said petitions, agreeable to your directions and find that
by fixing the elevations of those streets as follows will carry off
the water into the Canal on the surface of the streets. The
elevation of the edge stone on Market street at the intersection Market st.
of the southwesterly line of Friend street, to be placed one foot
seven inches below the top of the hammered foundation stone
of the brick building at the corner of Market street and Portland
street, on the northwesterly side of Market street, belonging to
Ebenezer Smith, and from thence to rise in the ratio of six

58. inches per one hundred feet, towards Portland street, and fall in the same ratio towards Canal street. The elevation of the edge stone on Friend street, at the intersection of the northwesterly line of Market street, to be placed one foot and seven inches below the top of said foundation stone, from thence to rise in the ratio of six inches per one hundred feet, for the distance of one hundred and fifty feet, thence level twenty eight feet, thence rise in the ratio of six inches per one hundred feet, one hundred and fifty feet to the intersection of Traverse street.

Merrimac st. The elevation of the edge stone on Merrimac street, at the intersection of the northwesterly line of Market street, to be placed one foot, four inches below said top of said foundation stone, and to rise four inches per one hundred feet, for the distance of one hundred and fifty feet towards Traverse street.

Traverse st. The elevation of the edge stone on Traverse street, at the intersection of the southwesterly line of Friend street, to be placed one foot seven inches below the top of said foundation stone, and from thence to rise in the ratio of six inches per one hundred feet towards Portland street, and fall in the same ratio towards Canal street. The side walks to be nine feet wide on Merrimac street, and eight feet wide on Market, Portland, Traverse, and Friend streets, and to rise in the ratio of three quarters of an inch per foot to the lines of the streets from the edge stones.

Stephen P. Fuller, Surveyor.
Read and accepted, and ordered accordingly.

Auditor

The auditor of accounts exhibit of the state of the various appropriations the present month. Read and sent down.

The committee appointed to take into 59.

consideration the communication of the Auditor, respecting the Auditor, arms and ammunition belonging to the City in Town Hall Arms &c. reported, that it will be for the interest of the City to sell the articles enumerated in the schedule forthwith. Read and accepted, and thereupon ordered, that the same be sold, under the direction of the former committee.

The committee appointed to estimate Winthrop the damage sustained by His Honor Thomas S. Winthrop, in Merchants Row, taking his store and land to widen Merchants Row, appraise the same at seven thousand dollars. Read and accepted.

Petition of Joseph Underwood, to have Underwood a piece of land, belonging to the City, on Morris street. Read, Morris st. and committed to the Mayor and Alderman Tunnelly, to consider and report.

Ordered, that the Mayor and Alderman Winisimet Sawyer be a committee to consider and report upon the subject of the City's right in Winisimet ferry.

Ordered, that the Mayor, Aldermen Clocks, Welsh and Wales, be a committee on the subject of the City Clocks, with instructions to report next Monday evening what alteration it is necessary to be made in keeping them in repair.

The several accounts of Messrs. Sullivan, Shaw & Hubbard allowed.

The committee of the City Council to Marsh whom was recommitted the report on the petition of Ephraim building laws Marsh, and others, on the revision of the laws against fire, with instructions to consider the expediency of petitioning the Legislature for provision respecting the erection of wooden buildings on wharves and marshes, respectfully report. That they have prepared a section to be submitted to the Legislature, which is annexed, for the information of the City Council, & they recommend a resolve embracing that object, to be adopted by the City Council as a substitute for the resolution proposed by this committee, and annexed to their former report.

All which is respectfully submitted, by order of the Com^{rs}

Josiah Quincy, Chairman

Resolved; That a joint committee of the City Council be appointed with authority to apply to the Legislature of the Commonwealth, for a law, revising all the laws, now existing relative to the protection of the City of Boston, against fire and embracing in one statute all those provisions, which in their wisdom they shall deem it proper to retain or adopt; and that the said committee be instructed to obtain as far as possible, an act the provisions of which shall contain those which are embraced in the report, and in the act submitted by way of information to the City Council on the twenty second day of January last, and also a section conformable as far as possible, to the section annexed to this report, relative to wooden buildings on wharves, marshes &c. Read and accepted, and thereupon ordered, that the Mayor, Aldermen Bellows, Spring, Boies, and Savage, with such as

The Common Council may join: be a committee to carry the 61.
same into effect. Sent down for concurrence. Came up
concurred, with amendments in the draft of the act recom-
mended by the committee, accompanying said report. The
Common Council joined to said committee on its part Messrs.
Parker (Nov 10), Josiah Rose, Bent, Tufts and Gould.

Read and concurred.

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Gentlemen of the City Council,

Mayor's message

By information given Fire depart.

by the Chief Engineer, it appears that the extremely defective
state of the Engine and fire apparatus rendered it necessary,
in order to an effectual defence of the City, that as far as
possible all the fire engines should, during the last season,
have a thorough repair, and be placed in a state, which should
enable them to be efficient instruments and also in a condition
to give a reasonable satisfaction to the members of the respective
companies attached to them. In doing this, he deemed himself
bound to have a single regard to the safety of the City, and
the efficiency of his department; that owing to the manner
in which it was necessary those repairs should be conducted, and
also to the unexpected deficiencies of the Engines (the state of
which could not be known until they were taken to pieces) as
well as the great expenditures sanctioned by the City Council,
for other objects connected with that department, it has been
impracticable for him to produce the existing highly satisfac-
tory state of that department, without exceeding the appro-
piation made the last year. The subject is in a state to

62. requires as in all cases of this nature the early and particular examination of the City Council. Josiah Quincy,

Read and committed in the Common Council to Messrs. Gray, Hallett and Williams, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor and Aldermen Savage are joined.

Engine
houses

The committee of the City Council, to whom was referred the Mayor's communication relative to the necessity of enlarging some engine houses and providing locations for others, respectfully report, in part, That their attention has been drawn to the Engine house No. 2, in School street, the land on which the same is located being owned by the City in consequence of the opportunity which occurs to change that location, under circumstances very favorable to the City, and at the earnest request of the members of that company. Although the land, on which that Engine house is located is owned by the City, yet its space is wholly insufficient for the accommodation of the apparatus belonging to that Engine, and to hold the members of the company; nor can it be enlarged, inasmuch as the City cannot by its tenure of that estate build more than a one story building, and there is no surrounding land which can be obtained, in that vicinity, whereby its space on the ground may be extended. Under these circumstances your committee have, into into an agreement with Mr. Asa Richardson, owner of the land on the westerly side of the Canal leading to the County Court house, of the following nature.

63.
Mr. Richardson agrees to sell all the northerly part of his land, bounding easterly on said Court; westerly on the burial ground and northerly on a passage in front of the west end of the County Court house, and southerly on a line running within ten feet of his house, called Warvister's Hall, the said space containing twenty four hundred, five and a half square feet, for the sum of three dollars, the cost, or the sum of seven thousand, two hundred, sixteen dollars, & fifty cents, and he agrees also to allow for the piece of land owned by the City on which the Engine house N.Y. now stands, subject to all its disadvantages above mentioned, at dollars the square foot. This land contains four hundred and forty seven square feet which at five dollars amounts to twenty two hundred and thirty five dollars, leaves a balance of four thousand nine hundred and eighty one dollars and fifty cents, on many accounts, considering the connection of this land with the County Court house. Your committee deem it desirable that it should be owned by the City; But as a location for two at least of the Engines it seems to them peculiarly advantageous.

The share thus proposed to be purchased of Mr. Richardson, by this exchange and payment of the above sum includes the office now occupied by the Assistant City Clerk for which the City pays eighty dollars a year. A City stock for the above balance, at the rate of five per cent. will be an annual charge of nearly two hundred dollars; if from this sum be deducted the above rent now paid by the City, a most eligible location for at least two engines will be obtained, at the annual expense of only one hundred and twenty dollars; and should the

64. City Council hereafter choose to erect a two story building for
Engine No. 8, the place of meeting of the companies. Then there will be ample
space on the ground floor to accommodate a hose wagon. These
company, in addition to the two engines and the assistant clerk's
office. Experience having shown the great advantage of locating
engines near the central parts of a City. Locally situated as is
Boston, your committee are of opinion, that it is extremely
important that the present opportunity should not be neglected.
They therefore recommend a resolution containing the necessary
authority for this purpose. Your committee also report, that
the company attached to Engine No. 8, situated in Mason street
is full, and its engine and apparatus in a very complete and
satisfactory state; but the engine house is not only wholly
insufficient for the accommodation of that company and their
apparatus, but is also in a state necessarily extremely in-
convenient and injurious to the apparatus, from the state of its
roof, its age, and the leakage of its floors, with respect to the
street, there being about six inches of water over nearly the whole
surface when visited by your committee. Under these
circumstances, the company, with a spirit and zeal, which
does the members great credit, have prepared a plan of a new
engine house, to be erected on the site of the present engine
house, in Mason street, of two stories, with specifications and
contracts, embracing an entire new house of brick and stone,
with cistern, boilers and all the necessary and usual fixed
apparatus complete for the sum of thirteen hundred dollars.
On examining the specification of particulars, and considering
the size, accommodations, and all the fixtures connected with

the building, your committee were of opinion that the terms 63.
were very low, and such it was for the interest of the City Engine House
to sanction. As the state of the present engine house seemed to
require immediate attention, and as the lowness of the terms was
mediated upon the understanding, that if accepted, the contractor
might proceed to make their arrangements, and prepare their
materials, at the present season of the year, and also it being
understood, that payment should not be provided for, until
after the appropriations in the ensuing financial year, your
committee were of opinion, that the proposition might be
accepted and therefore recommend the adoption of a resolu-
tion having that effect. All which is respectfully submitted.

By order of the committee. Josiah Quincy, Chairman.

Ordered, that the committee on the subject
of enlarging and providing locations for the Engine Houses &c and
they hereby are authorized to exchange with W^m Usa Richardson,
the land owned by the City on School street, for the land owned
by the said Richardson behind his house, called Barrister's Hall,
and lying northw^{ly} of a line running parallel to said Bar-
rister's Hall, and two feet distant therefrom, from the Court in
front of the County Court house, to the Chapel burial ground;
and that the Mayor be authorized to execute all necessary
deeds of said first mentioned land; and on receiving a deed
from said Richardson of said last mentioned land, that the
Mayor be authorized to cause a City stock to be issued for a
sum not exceeding five thousand dollars, payable at the
pleasure of the City after the expiration of three months, at a
rate of interest not exceeding five per cent. in payment for the

06. same. Ordered, that the committee above mentioned be authorized to contract for the building of an Engine house on the site of Engine N^o 1, in Mason street of such materials, and with such accommodations as they may deem expedient, to cost usum not exceeding thirteen hundred dollars.

Read and accepted, and the several orders passed.

Sent down for concurrence.

Vide page 18. Came up concurred, with an amendment. Read & concurred.

Boston Mill Co. Ordered, that Aldermen Welsh and Savage, Marine rail way be a committee with instructions to prosecute the Boston Mill Prince & Ann & Corporation for the expense of a drain to lead the water from Battery street. The several estates on Prince street. Also to prosecute the Marine rail way, for the expense of a drain to lead the water from the several estates on Battery street, and part of Ann street.

Edwards Petition of Thomas Edwards and others, praying for the use of the ward room, in the Hancock School house, for the purpose of meeting in Religious worship, under the ministration of the Reverend Samuel A Burnstead. Read and thereupon ordered, that it is inexpedient to grant the same.

Adjourned to Monday next, half past six o'clock P. M.

Special meeting.

67.

Tuesday February 20. 1827.

Present. The Mayor Aldermen Loring, Tunnelly,
Boies and Alger.

Order of the Common Council, appointing Blake, Messrs Morey, Williams, Wright, Hallett, and Hoice, with Boston free bridge Corporation, such as the board of Aldermen might join, a committee to make inquiry, in relation to the petition of George Blake and others, now pending before the Legislature of this Commonwealth, and to report to the City Council, what measures they deem it expedient to be adopted on the subject. And that the petition of the Boston free bridge Corporation to the Legislature for permission to take tolls with the order of notice thereon be referred to the same committee. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Boies and Savage are joined.

Adjourned to Monday next half past six o'clock P.M.

Monday February 26th 1827.

Met according to adjournment.

Present. The whole board, except Alderman Tunnelly.

Mr Samuel Thaxter, member Common Council of the Common Council from Ward No 6, came up attended by member qualifie Mr Waters. He was duly qualified to take his seat as member as aforesaid, by taking the several oaths required by the Constitution and laws before the Mayor.

68.

The committee appointed to consider Clocks and report what alteration it is necessary to be made in keeping the City Clocks in order, report the following order for the consideration of the Board. By order of the committee. Josiah Quincy, Chairman.

Ordered, that a committee of two members of this Board be appointed to superintend the concern of the clocks, and that said committee be authorized to agree with one or more clockmakers, at a price not exceeding twenty dollars, each, for the year; no additional charge to be paid, unless new movements be required, and previously authorized by the committee; and subject at all times to be rescinded in case of dissatisfaction in the board of Aldermen.

Ordered, that the above committee cause the persons who take care of the Clocks to enter into an agreement to regulate the time by Mr. Bond's Chronometer.

Read and accepted, and thereupon ordered, that Aldermen Bellows and Wates be a committee to carry the same into effect.

Fish box.

The committee upon the subject of the fish box, at the bottom of Hanover street, reported, that they had agreed to let the same to Samuel Dillaway, for one year, he paying therefor twenty dollars.

Read and accepted.

Watch and Lamps.

Israel Case was nominated and appointed Captain of the Watch, Superintendent of Lamps, for the present year, commencing 12th instant.

70. cents, the square foot; That a piece of forty nine feet and ten inches has been taken into Dunc street, from a lot adjoining the last mentioned, belonging to A. R. Hurlbut, which is worth forty nine dollars and eighty seven cents, estimating the same at one dollar the square foot. And a piece containing sixty feet, has been taken into Temple street, from a lot belonging to Cushing, Nichols which they estimate also at one dollar the square foot; said Nichols also claims a further sum of fifty dollars under an agreement with the committee of that district being for the cost of removing and rebuilding his wall, and for the land under the same, making a total of three hundred eighty six dollars and ninety six cents. Your committee recommend, therefore, that there be allowed and paid to the several persons above named, and in the inclosures above mentioned, the said sum of three hundred eighty six dollars and ninety six cents, in full satisfaction for all the lands so taken.

For order, J. W. F. Loring.

Read and accepted, and ordered accordingly.

Auctioneers
cases

Ordered, that Aldermen Welsh and Loring, be a committee to consider and report, upon the subject of Auctioneers bonds and what regulation it is necessary to adopt in relation thereto.

Appropriations

Ordered, that the further sum of three hundred and fifty dollars, be appropriated for lamps, oil and superintendence, and that there be withdrawn from the appropriation for the salaries for instructors, five hundred and fifty dollars.

and from the appropriation for the construction of a dyke on the City's flats west of Washington street, eight hundred dollars. And that the further sum of seventeen hundred dollars be appropriated for the establishment for the reformation of juvenile offenders.

Came up for concurrence,

Read & concurred.

The Auditor of accounts estimates of the amount of money necessary to be raised for the expenditure of the ensuing financial year, under the respective heads of appropriation, and the ways and means to meet the expenditure.

Read and sent down.

Petition of Daniel Mepenger, and others, Inhabitants of Ward N^o 10, praying, for a more convenient place to hold their meetings, in said Ward, Read and committed to Aldermen Bellows and Savage, with such as the Common Council may join, to consider and report upon the expediency of enlarging the Mason street School house for that purpose. Sent down for concurrence. Came up concurred; and the Common Council joined on its part Mess^{rs} Williams, Josiah Vose and James.

The Committee of the City Council to whom was referred the petition of the City Watchmen, in an increase of pay, and of Joseph L. Bradlee, and others in support of the same, ask leave respectfully to report, that they have given to the subject all that consideration which

172. is due to the number and great respectability of the petitioners, and after a very careful inquiry, have satisfied themselves, that it is inexpedient to make any alteration in the established law of the City Watch, being well satisfied, that a competent number of good and faithful Watchmen can readily be obtained at the present wages. Your committee recommend therefore, that leave be given to the petitioners to withdraw their Petitions.

John T. Loring, Chairman

Read and accepted. Sent down for concurrence.

Learned up concurred.

Funeral undertaker.

Calvin Lane, was nominated and appointed funeral undertaker, instead of Esal Shidmore, deceased, formerly sexton of Hollis street Church.

House of commons.

Ordered, that the fifth rule adopted by the board of Aldermen on the eighth day of May, last, in relation to the removal of house offals, be and the same is hereby repealed.

Winship's Market.

The committee on the petition of Abel Winship, to stand with one or more teams in or near the Market, reported, that it is inexpedient to grant the same.

Read and accepted.

Adjourned to Monday next, seven o'clock P. M.

Monday March 5th 1827. 73.

Met according to adjournment.

Present. The whole board except Alderman Tenney.

Order of the Common Council com Auditor
mitting the communication of the Auditor of accounts, incl^g Expenditures
ing an estimate of the amount of money necessary to be raised, Ways & means
or the expenditure of the ensuing financial year, under the
respective heads of appropriation, and the ways and means
or raising the same - to the committee of finance, with such
as the board of Aldermen might join, to consider and report.
Lame up for concurrence. Read and concurred, and the
Mayor, Aldermen Welsh, Loring, Boies and Savage are
joined.

The committee of the City Council, Boston, pre-
sent the memorial of the Free Bridge Corporation, respectfully, bridge
report, that in the opinion of this committee, the proposed location
ice bridge should proceed from or near Sea street, provided,
that street shall be made and finished from Pratt's corner, in
such manner as the City Council may direct. They therefore
report, for the consideration of the City Council the following
resolution, which is respectfully submitted. By order of
the Committee.

Josiah Quincy, Chairman

Resolved, That the ice bridge proposed to
be erected, by the Boston ice bridge Corporation shall proceed
from, or near Sea street, provided, that Sea street be made
and finished in such manner as the City Council may
direct, from the corner of Mr. Caleb Pratt's house to the ice

14. sent southward end of the wharf which terminates said street. Read and accepted in Common Council and the resolve passed.

Came up for concurrence.

Read and concurred.

Treasurer's

borrow money

Ordered, that the Treasurer be authorized to borrow for the use of the City, at such times as the committee of finance may direct, a sum of money not exceeding thirty thousand dollars, reimbursable within one year, from the passing of this order, and on such other terms and conditions as may be approved by said committee.

Came up for concurrence.

Read and concurred.

Tucker's

heirs

Merchant's

Copies of two petitions of Pliny Cullen, and others, Executors and trustees under the last will and testament of Beza Tucker, deceased, to the Court of Common Pleas, and the order of Court thereon. Read and committed to Aldermen, Welsh and Savage, to attend to and defend the same before the Court. The above petitioners pray, that a jury may be summoned to assess the damages in consequence of part of the land belonging to the estate of said Beza Tucker deceased taken to widen Merchants Row.

Reed

Ann street

Petition of C. J. T. Reed for pay for land taken the last year to widen Ann street. Read and committed to Aldermen Wales and Savage, to consider and report.

The committee on the petition of J. B.

Calvin Hunt, praying, that the City would sell him all ^{of} ^{the} ^{right} ^{to} ^a ^{piece} ^{of} ^{land} ^{on} ^{Portland} ^{street}, of which he ^{Portland Street} holds the unexpired lease of twenty years and nine months. Report, That in their opinion it will be for the interest of the City to sell to the Petitioner about eight hundred feet of the land alluded to, at one dollar per foot, on condition, that Ebenezer Smith to whom the entire lot was leased will release this part to the City, for an allowance of fifty dollars per annum, or deduction from the annual rent paid by him, and the Mayor be authorized to give a deed accordingly. ^{Read} order of the committee.

W. Bellows, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

The committee appointed to agree ^{Clocks} with some person or persons to take charge and keep in repair the several City Clocks, reported, that they have agreed with Clockmakers to take charge of the same at twenty dollars each Clock. ^{Read} and accepted.

Application of William Nichols, for a ^{Nichols} license to exhibit as a ^{Antiquarian} ^{Antiquarian} at Concert Hall. Read and the prayer thereof granted paying therefor five dollars per week.

Elisha Foster nominated & appointed a ^{Fireman} ^{Fireman} fireman in Ward No. 10. ^{Ward No. 10.}

76.

Petition, of John Hubbard and

George W. Lyman, praying, leave to sink a well in Summer
Street, and take suction from the same. Read and com-
mitted to Aldermen Welsh and Soring, to consider and
report.

Spear

Deer Island

Ordered, that the City Marshal
notify Luther Spear to quit and surrender the possession
of Deer Island to the City, in ten days. And also notify
George Spear of Quincy, bondsman of said Luther, to
sell and leave the rent of said Island agreeable to his
obligation, and in default thereof, that he will be pro-
secuted, at the expiration of ten days.

Firemen

Ward No. 6.

Marion Say and Joseph A. Ballou
nominated and appointed firemen in Ward No. 6.

Firemen

Ward No. 11.

George Trask and Parker Barnes
nominated and appointed firemen in Ward No. 11.

Boylston Market

Washington St.

The Directors of the Boylston Market,
gave notice that they are about building on
Washington Street, south of Boylston Hall. Read and
committed to Aldermen Bellows and Alger to consider
and report.

Adjourned to Monday next, seven o'clock P. M.,

Special meeting.

77.

Thursday March 8th 1827.

Present. The Mayor. Aldermen. Belkows, Spring, Davis & Wales.

Petition of George Hewson, to hire Hewson:
a piece of Neck land, about five acres, on the road lead Nursery:
ing to the Boston Cordage factory, on a long lease, for the
purpose of establishing a Nursery for trees, shrubs, plants.

Read and committed in Common Council, to the Committee
on Neck lands, to consider and report. Came up for con-
currence.

Read and concurred.

Petition of Nathaniel Saxon, & Saxon
others, praying, that the City Council would apply to the Wooden Buildings.
Legislature, for an alteration in the statute, in relation to
wooden buildings, so far as respects the buildings of wood
ten feet in height, that the same may be so far altered,
as that they may have liberty to make the posts thirteen feet
from the bottom of the lower sill to the top of the plate,
the height of the roof to remain as at present sixteen feet,
from the ground. Read in Common Council and referred
to the Committee appointed, with authority to apply to the
Legislature, for a revision of the statutes for the protection of the
City against fire, with instructions to obtain such further al-
terations, as may be conformable to the prayer of said petition.

Came up for concurrence.

Read and concurred.

78.

Petition of Jeremiah Fitch and

Fitch others, owners and occupants of estates on Noddland street, and its vicinity praying, that said street may be widened, Read and committed to Aldermen Pries and Wales to consider and report.

Aspers

Communication from the Aspers,

representing, that Harvard College, refuse to pay the tax levied upon its real estate in this City, and praying advice upon the subject. Read and committed to Aldermen Welsh and Savage, to consider and report.

Kingsbury

Petition of Jesse Kingsbury and

Salt Lane others, praying, that Salt Lane leading to Creek Square may be widened. Read and committed to the whole Board, to view the same.

Engine

Ordered, That the committee on the

houses

vide ante 62.

subject of enlarging and providing locations for the Engine houses be and they hereby are authorized to hire such building or buildings as they may consider necessary for the accommodation of the Engine and hose companies, and their respective Engines and hoses and apparatus, and that the Mayor be authorized to execute the necessary leases for carrying the same into effect. —

Ordered, That the committee above mentioned be authorized to contract for the building an Engine house on the site of Engine No. 1, in Mason street, of such materials &

with such accommodations as they may deem expedient, 19.
to cost a sum not exceeding thirteen hundred dollars.

Passed in Common Council. Came up for concurrence.

Read and concurred.

The committee to whom was Fire department
referred the communication of the Mayor, on the excess of
expenditure beyond the appropriations in the fire department
respectfully Report, That the amount of the appropriation
for the fire department for the present financial year was ten
thousand dollars; and was deemed, at the commencement of the
year, sufficient and liberal. It is, therefore, with great re-
gret, that your committee are compelled to state that an
expenditure, more than double that amount has occurred, not
only without the knowledge of any member of the City gov-
ernment, but also, as your committee have reason to believe,
without the knowledge and intention of exceeding the appropri-
ations of the officer, under whose sanction it was incurred.
The occasion of this excess is stated to be, unexpected state of
deficiency, in which all the engines and fire apparatus of the
City were found; the necessity of putting the same into an
efficient repair, and condition of supply antecedent to the
then approaching winter; the expediency of satisfying the just
pride of the members of the fire department, relative to the state
of their respective engines, and the attention of the Chief en-
gineer, being occupied wholly with putting the department in
complete order, he was not aware of the greatness of the neces-
sities of the department compared with the appropriation made.

80. The views of the Chief Engineer are fully stated in a letter
Fire department marked A, herewith communicated, to which your committee
refer. With respect to the nature of the expenditures your
committee cannot question that they have been incurred with
a single regard to the efficiency of the system and the char-
acter of the department. Three engines only remain to be re-
paired, which being done, the expenses which will be requir-
ed for the present and probably many ensuing years for that
department cannot be but comparatively inconsiderable. At present
it is in a state of the highest order, honorable to the city
and satisfactory to its members, so far as it respects engines,
every species of apparatus. The facts above stated have led your
committee to consider the nature of that department with reference
to preventing as far as possible any similar occurrence in future.
Although it cannot be expected the exigencies of it can ever
hereafter be similar to those which existed the last year, in
which the entire system of operations at fires was almost wholly
changed and all the instruments of protection against fire re-
novated as well as many new ones, with nearly six thousand
feet of hose supplied, yet it is apparent that from its very
nature this department will be liable to lead to excess in ex-
penditures beyond the appropriation more than any other; in-
the aptitude of companies voluntarily associating for a general
service to incur expenses without authority, and the difficulty of
discouraging the members by refusing to pay such expenses after
they are incurred, and also from the natural and just pride of
each company, who never fail to require that their engine and
apparatus should be in as complete a state of efficiency as any

others, so that what is done for one, it is difficult to refuse to 84.

do for all, without giving offence, or creating discontent; and above Fire department
all, from the right, which the members of such companies consider
they have to claim that all those wants which they deem necessary
to their character or efficiency as a company should be supplied
from the fact, that they take risk and give time, labor,
in service of the community gratuitously. These circumstances render
it difficult for the head of the department to control expenditures
or to prevent with as much advantage as might be done by an
independent body, not connected with the fire department, and
which should act under ~~known~~ general and known established
rules, relative to this subject of expenditure. It seems also, that
it would be advantageous, that this superintending body should
be a committee of both branches of the City Council, inasmuch
as thus both branches would be kept better informed of the necessities
of the department and the reasons of any occasional expense.
As to the present exp., your committee, although they are com-
pelled to express their regret at the occurrence, yet, considering
that you have no doubt, that the City hopes the full worth
of the expenditures in the improved efficiency of the department;
in the satisfaction of the members of it, in the spirit & laudable
zeal with which they are actuated, and the order and discipline,
which have been introduced into it, all of which are more or less
connected with the general state these expenditures have produced,
they can perceive no other course than to recommend a reso-
lution for the payment of the exp., which has been incurred,
including a sum necessary to pay the premiums due to the
respective engine companies, under the ordinance of the City.

82. Council, the appropriation, out of which it was to have been.
The department said, having been, in manner, above explained, exhausted.

Your committee subjoin the orders which they deem it expedient for the City Council to take on this subject, which are respectfully submitted. By order of the Committee.

Orin Linnay, Chairman.

Ordered, that the sum of twelve thousand dollars, be and the same is hereby appropriated for the fire department in addition to the appropriation heretofore made.

Ordered, that the expenditures of the fire department shall hereafter be made under the superintendence of a joint committee of the City Council, to consist of seven persons, four to be appointed by the Common Council and three by the Board of Aldermen; and no expenditure exceeding fifty dollars shall be sanctioned by said committee unless the same shall have been previously authorized by a vote of a majority of said committee. Read and accepted in Common Council; and the orders passed; and Messrs. Dorr, Eveleth, Bacon and Sears, were appointed a committee on their part for the purposes mentioned in said second order. Came up for concurrence: Read and the first order concurred, and the second order nonconcurred.

Adjourned to Monday next, seven o'clock, P. M.

Monday March 12th 1827.

83.

Met according to adjournment.

Present The whole board except Aldermen Connelley
and Rogers.

The committee of the City Council, Dispensary Phy.
to whom was referred a memorial of the Physicians of the Boston Vaccination
Dispensary, on the subject of vaccination, ask leave to report,
that they have given to the subject consideration in some degree
proportioned, to its high importance; that it is very apparent,
that the late alarm, arising from cases of small pox or a
contagious disease of a character nearly resembling it, has much
abated, and though the disease is not extinct in several sea
ports, to which our commerce extends, and may occasionally
spring up in others, and especially is to be feared in the
neighboring City of New York; yet the precautionary measures
of the great body of our Citizens in former times afford encourage-
ment to our hope of security from its extensive spreading, and
increase our desire of the universal employment of the sufficient
preventives against it, on a principle of systematic and per-
petual operation; that it appears, that during the last year
in the City of Baltimore, there died of small pox two persons,
in Philadelphia, three, in New York, fifty eight, and in our
own City, none, but that in January last one died here of
that disease, who had just before arrived from New York;
that some committee, after a private deliberation on this sub-
ject, and in a belief that a course less incivilitate than that
which was adopted in a moment of panic three years since,
would ensure greater security at less expense to the City, ad-

84. dropped to the medical association of Boston, a request for the ad-
Dishensan Phy- vice of the members, and feel great satisfaction with their at-
Vaccination tention to that request; that they believe the reply of that
association cannot fail to be highly encouraging to the City
Council, and beneficial to the whole community, for which
purposes the committee enclose it with this report, and hope
it may be read as part thereof; that it is generally known
that the Boston Medical Association comprehends nearly all the
members of that profession in this City, and your committee
understand, that the first meeting of that body called to consider
of their request was fully attended, and the subject being then
referred to five gentlemen, equally distinguished for benevolence &
skill, the report thereon made by them at an adjourned meeting
a week after, was upon debate and explanation unanimously
adopted; that the report of that association made to the chairman
of this committee may be confidently referred to for illustration
and support of the measures herewith recommended; that any
order on the matter by the association in their report last
mentioned is designably omitted, because it manifestly relates
to a general good for the whole Commonwealth rather than
for this City, and it may be presumed that the wisdom of the
Legislature will make due provision for a general vaccine
institution; that in conclusion, the committee recommend to
the City Council the following resolutions for their adoption.
All which is respectfully submitted by

Jeremiah S. Boies. Chairman;

Resolved, that it is not expedient, at the present
time, to have recourse to a general vaccination, and that it is

desirable to adopt means for preventing in all future time the necessity of such a sudden measure.

Dispensary, Phy.
Vaccination.

Resolved, that the Mayor, any member of the City Council or overseer of the poor, on application from any inhabitant of Boston to enjoy the advantage of gratuitous vaccination for him or herself, or his or her child may at his discretion issue to such person a certificate addressed to any member of the Boston Medical Association, in the form and of the import following:-

"This may certify, that in my judgment vaccination free of expense is to be afforded to B. an Inhabitant of this City, inasmuch as the payment of the usual fee would be a hardship or an inconvenience to the bearer. To C. D. Boston 1827 (signed) J. D.

Resolved, that on the annual notifications distributed for warning the citizens to attend meetings in their several wards to vote for Governor, Councillors, and Senators, on the first Monday of April, there shall be printed information, that any person, to whom the payment of the usual fee for vaccination is a hardship or an inconvenience, may apply to the Mayor, or any member of the City Council, or Overseer of the Poor for a certificate to entitle him to the benefit free of expense.

Resolved, that a committee be appointed to take such measures as they may deem expedient, to obtain an act of the Legislature by which the municipal authority of any town or city in the Commonwealth, or its School Committee may be empowered to make it a condition of admission into its public schools, that children shall exhibit satisfactory evidence of having undergone the Cow Pock. Read and accepted,

86. and thereupon ordered, that Alderman Savage, with such as the Common Council may join, be a committee to carry the same into effect. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Mep^{rs}

Fitch

The committee on the petition of Portland street. Jeremiah Fitch, and others, praying, that Portland street may be widened, reported, that in their opinion, from the increase of travelling in said street, the public good requires, the same should be widened the whole distance between Sudbury and Hanover streets, but the expense of completing the same, will in their opinion be too great for the City to carry into effect, in the manner the law requires, but recommend that a committee be appointed to receive from the Petitioners an estimate of the expense, and what amount can be obtained from the abuttors for effecting this improvement. Read and accepted, and thereupon ordered, that the same be referred to the former committee to carry it into effect.

Greene

Copy of the petition of Gardiner Greene, Committed Council, to the Court of Common Pleas for the County of Suffolk, praying, that a bill may be had at the bar of said Court, for the purpose of ascertaining the damage done to his estate on Common street, Newborton's Hill, in consequence of widening said street: Producing said bill - & the order of Court thereon read & committed to Alderman Welsh Savage, for the purpose of employing Council to defend the same.

The committee on the petition of the 87.

Proprietors of Central wharf, praying, that sundry lamps which Central Wharf
they shall erect on said wharf, may be lighted at the ex-
pense of the City, reported, that the prayer of said petition
be granted. Read and not accepted. Lamps.

The City Marshal's return relative to Deer Island.
the state of Deer Island, and that he had notified Suther-
Shear, to quit the same, and also that he had notified George
Shear his bondsman, agreeable to the order of this board. Read
and referred to Aldermen Welles and Savage, with authority to
take such measures as may be thought proper to have said
Island cleared and the rent collected. — Shear.

The complaint of Joseph Clark, and others, Lavery
that John Lavery, of Boston, laborer, does by, excessive drinking
and idleness so waste his estate as thereby to subject himself
and his family to want and suffering circumstances; and does
also thereby endanger and expose the said City to a charge or
expense for his and their maintenance and support. They
therefore pray, that the Mayor and Aldermen would represent
the same to the Judge of Probate for the County of Suffolk,
in order, that a Guardian may be appointed pursuant to law in
such case made and provided. Read and committed to the
Mayor and Alderman Alger, with authority to apply to the
Judge of Probate as prayed for, if they find the facts as stated
to be true. The facts were found to be true accordingly the
Mayor and Aldermen made complaint as prayed for. Standstill.

Ordered, that the committee of the

Edwards Northern district be authorized to settle with Mrs Edwards, Salem street, for a strip of land taken for the purpose of widening Salem street, near the corner of Richmond street.

House of Industry

from Salem

(communication from the Directors of the

House of Industry, stating, that between the third and sixth days of the present month, the entrance around the farm at South Boston, was entered, and one of the tombs recently built there forcibly entered by breaking the lock of the same, and iron bodies deposited therein taken ~~away~~ and carried away.

Whereupon ordered, that notice be published in the newspapers and a reward of one hundred dollars offered and paid upon conviction of any person or persons concerned in this daring outrage.

House

Caucus

Petition of William Sturgis and Thomas

M. Curtis, Chairman and Secretary of a meeting of the Citizens held at the Exchange Coffee House on Saturday last, praying in behalf of said meeting permission to assemble with their fellow Citizens in Faneuil Hall, on the evening preceding the election of Governor and Senators, for the usual purpose of holding a Caucus there

Regalia

in - Also the petition of William Angell, and others, for the use of said Hall, for the same purpose on the same day. Read and thereupon ordered, that the use of said Hall be given to the first mentioned Petitioners.

Adjourned to Monday next seven o'clock P. M.

Monday March 19th 1827.

89.

Met according to adjournment.

Present. The whole board, except Alderman Welsh.

The committee on the petition of John Hubbard & George W. Lyman, praying liberty to dig a well in Sumner street, reported, that the prayer of said petition be granted, provided, the location be made and the work done under the direction of the Superintendent of Highways, the well to be the property of the City, the applicants to have permission to take each a suction to carry the water to their estates.

Read and accepted.

The committee on the Market report, that they do not consider it necessary to take any order, in relation to the subject of boys and idle persons incumbering the Market house; the evil complained of is not of a character to require the interference of this board. But your committee have been informed that offences have been committed, such as petty thefts which in the future, might be prevented by a prompt interposing of the civil authority, they therefore respectfully submit for the consideration of this board the expediency of appointing to the office of Constable, the assistant of the Clerk of the Market, and limiting his authority, if practicable, to such offences as are committed within the limits of the Market;

Read and accepted.

Emanuel Chisol, was nominated and appointed a Constable of the City.

90.

Petition of David Tillson, and others,
 Tillson, praying, that some measures may be taken to relieve them from
 Portland & Friend the effects of the stagnant tide water between Portland and
 streets. Friend streets, at the westerly end, and that flag stones may
 be laid across Merrimac and Traverse streets. Read and com-
 mitted to Aldermen Boies and Wiles, to consider and report.

Petition of Leonard Hyde, and others,
 Hyde, Jackson street, praying, that a certain street leading from Fayette street to a
 magazine way of thirty feet wide ending in Pleasant street may
 be named Jackson street. Read and committed to Aldermen
 Bellows and Alger, to consider and report.

Communication from Doctor Smith, resident
 Resident Phy. Physician of Kainsford Island, stating, that one man remains on
 the Island for the recovery of his general health, but that the
 Island is free from the small pox, for the first time since the
 twenty second day of December, last, and that by the assistance &
 vigilance of the Marshal, in removing the sick, the contagion has
 not been propagated in a single instance in the City, and to
 the untiring exertions and faithfulness of the Island keeper, in
 nursing and watching the sick and his devoted attention night &
 day, in carefully observing the medical regulations of the Hospital
 is to be imputed. Through the blessing of Providence, the complete
 restoration of eleven patients, nine of whom have had the natural
 small pox, and three the varioloid or modified small pox, &
 only one death has occurred. The Doctor gives a schedule of
 such articles as may be wanted the ensuing season, he also states

That some repairs are necessary to be done to the boats &c. (11)

Read and committed to the Quarantine committee to consider and report.

William Payne, Esquire, President of the Boston Mill Corporation, gives notice that said Corporation are about building bridges across the Canal; agreeably to their obligation. Read and committed to Aldermen Fenwick and Savage.

Application of Lemuel Shaw, Esquire, in behalf of the heirs of Watson Freeman, praying that appraisers may be appointed to assess the damages for breach of warranty of land near Dime street sold by the town of Boston, some years since. Read and committed to Aldermen Welsh and Savage, with authority to agree upon appraisers, if they shall see fit.

Petition of the Boston free bridge Corporation, praying that a building committee ~~may~~ ^{may} be appointed to attend to the preliminary & other arrangements in regard to the erection of said bridge. Read and committed to Aldermen Boiss and Wales, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined, on its part, Messrs. Waters, Gould & Aspinwall.

Ordered, that the Mayor, Aldermen Bellows & South Boston. &c. be a committee to consider and report upon the subject of the sea wall, at South Boston.

92.

Fallerson

Ordered, that there be allowed and paid to Enoch Fallerson, the sum of sixteen hundred and five dollars, and fifty six cents, in full for services rendered by him, under the direction of the Mayor and Aldermen, being at the rate of One Thousand dollars, per annum from May 23^d 1825, to December 31. 1826, and that the said amount thus allowed and paid be charged to the appropriation for the salaries of City and County officers. Came up for concurrence.

Read and concurred.

Appropriations

Ordered, that the sum of four hundred and four dollars, be added to the appropriation for the repair of the Maynard School house, and the sum of two hundred fifty dollars, to the appropriation for the external health department, and that the sum of four hundred and four dollars be withdrawn from the appropriation for the City Watch, and the sum of two hundred and fifty dollars from the appropriation for primary schools.

Came up for concurrence.

Read and concurred.

Rolling lists

The Mayor reports, that in conformity with the authority vested in him, by the vote of December 14th last, he has superintended the making out the rolling lists, in manner provided in the City Charter, which lists he now submits for the further correction of the board of Aldermen.

Which being considered, thereupon ordered, that said lists be deposited in the Mayor and Aldermen's room, and a persons office, and that notice forthwith be issued to all persons to that effect,

and that the same should particularly indicate to the following persons the propriety of taking care to ascertain, that their names are on the voting lists. viz:

1. Persons, who were doing business, either in partnership or individually, in other wards than those in which they lived, and boarded on the first of May, last.

2. Persons, who were taxed without their Christian names.

3. Persons who have paid a tax, within two years, and have become Inhabitants of the City, since the first of May, last.

4. Persons, who have come of age, since the first of May last.

5. All persons will find their names on the ward lists where they resided on the first of May last, in which ward they will be permitted to vote, unless their names shall have been changed to the Wards, where they at present reside, by a special application at the Mayor and Aldermen's room.

6. Persons who have not paid taxes within two years, unless the same be paid previous to the day of election, will have their names stricken from the voting lists, according to law.

Ordered, that the City Clerk issue Warrants for warrants for the meetings of the Citizens, in their respective wards, Ward meetings, on Monday the second day of April, next, for the purpose of giving in their ballots for Governor, Lieutenant Governor, and six Senators in the County of Suffolk. The Hall to be ~~kept~~ opened at eleven o'clock A.M. & kept open until three o'clock P.M.

Petition of Daniel Carney, and Ellis Carney & Gray
Gray, praying, that a committee may be appointed to revise the

(A. Plan of the Neck lands. Read and committed to Aldermen Bellows and Welsh, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Mep^r Phillips, Morey and Simonds.

Mill Creek

Ordered, that the Mayor, Aldermen Welsh & Savage, be a committee to consider and report upon the subject of the Mill Creek, and ascertain if any obstruction has been placed in or near the same.

Private Watch

Petition of Isaac Bangs, in behalf of the occupants of stores in Nibby, State, Central, Broad, Water, Prince, and Milk streets, that warrants be granted to sundry persons therein named as a private Watch. Read and thereupon Ordered, that warrants be granted accordingly.

Mayor's message

Gentlemen of the City Council,

Shepherd

I have received from the Chief Engineer, the enclosed letter and documents addressed to him by James Shepherd, who having had his leg broken at the fire in Friend street, while performing his duty as a member of Engine Company No. 10, has requested that his claims for reimbursement of his ~~claims~~ expenses incurred in consequence of that accident, may be submitted to the City Council. I recommend the subject to your consideration.

Josiah Quincy.

Read and committed to Aldermen Wales and Savage, with

with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs Ward, Loring & Clark. 95.

Adjourned to Monday next seven o'clock p.m.

Monday March 26th 1827.

Met according to adjournment.

Present. The whole board.

Petition of Joel Shipley, & others, Shipley owners and occupiers of estates on West Centre street, praying, West Centre st. that some repairs may be made in said street. Read and committed to Aldermen Welsh and Loring, to consider and report.

Petition of Isaac Harris, in behalf of Daniel J. Lewis, claiming damages in consequence of the City's laying a drain or common sewer through a passage way near the North Battery Wharf. Read and committed to Aldermen Welsh and Savage, to consider and report. Harris Lewis'

Communication of the Ducherinton Burial grounds, praying, that a committee may be appointed to direct what repairs shall be made in the walls of the burial ground on the Neck. Read and committed to Aldermen Bellows and Alger, to consider and report. Neck.

Petition of Charles Fox and

Fox
Boylston St. Frederic Emerson, masters of the Boylston School, praying, that the City Council would make such appropriation as may be necessary for having the yards and side walk of the Boylston School house. Read and committed in Common Council to Messrs Russell, Lodge and Josiah Voss, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Boies and Savage are joined.

Meriam

Hanover St.

Petition of Levi Meriam Guardian

of Nancy Babcock, a minor, praying, compensation for land taken the last year to widen Hanover street, or that the adjoining one building may be taken down to make the line of the street correspond with the building belonging to said minor, so set back. Read and committed to Aldermen Tennyson and Savage, to consider and report.

Dearborn

Stoves.

Petition of John M. Dearborn, praying

that a committee may be appointed to hear him in relation to putting up and taking down the stoves in the several School houses and repairing the same. Read and committed to Aldermen Loring and Boies, to consider and report.

Fifty Associates,

Petition of the Fifty Associates, praying,

that the line & level of the street laid out the last year extending from Court street southerly, may be determined. Read & committed to Aldermen Welsh & Loring, to consider and report.

Petition of George Blake, & others, 95.

Praying, that Cooper street may be extended to Salem street, and Blake, also praying, that Cooper street may be repaired and a lamp, Cooper street retained and lighted. Read and committed to Aldermen Teninelly and Savage to consider and report.

Petition of William Horster, pray Horster

ing, that a fine and costs which he paid for an alleged breach of a by law of the City for immoderately driving his horse and team through the streets of the City; the proceedings being subsequently quashed by the Supreme Judicial Court on Certiorari, may be refunded to him. Read and committed to Aldermen Welsh and Savage, to consider and report.

Petition of William Paine, & others, Paine

owners of land on Boston Neck adjoining land of the City, pray Neck lands. ing, that some persons may be appointed on the part of the City to confer with them in relation to the location of Washington, Davis, Suffolk and Northampton streets. Read and committed to the committee who have under consideration the subject of revising the plan of Neck lands, to consider and report.

Sent down for concurrence

Came up concurred.

Petition of Robert Barnes, praying, Barnes

compensation for his services as keeper of the Well street pump, Well street pump. since January, 1826. Read and committed to the Mayor to consider and report.

The several applications for the office of Hay-weigher for the northern district, instead of Thomas R. Hopkins, deceased, being read, the board proceeded to the choice of a Hay-weigher by ballot, and the votes being taken, it appeared that the whole number was 8.

Necessary for a choice 5.

James Phillips	had	4.
John R. Bradford	"	2.
Asa Prouty	"	1.
Daniel Woods	"	<u>1</u> <u>8.</u>

No person having a majority of votes, the board again proceeded to ballot, and the votes being taken, it appeared that the whole number was 8.

Necessary for a choice 5.

James Phillips had six, and he was chosen. Sent down for concurrence. Came up non-concurred. The Common Council having acted on its part, John R. Bradford.

The board again proceeded to ballot as appeared, and the votes being taken, it appeared that the whole N^o was 8.

Necessary for a choice 5.

John R. Bradford	had	4.
James Phillips	"	3.
Daniel Woods	"	<u>1</u> <u>8.</u>

No person having a majority, the further consideration of the subject was postponed to the next meeting, Feb^y 10th 1858.

Auditor of acc^{ts}

The monthly exhibit of the auditor of accounts of appropriations & expenditures. Read and sent down,

cation of Messrs Williams and Chapman for payment of two strips Chapman & of land on Summer street, containing one hundred fifty three ¹/₂ Williams feet having met and Mr. Chapman being present, he makes the High Street following explanation, that Mr. Fuller, the surveyor under the City authority made a plan of the land taken to widen High street and which Mr. Fuller informed the applicants included this land on Summer street, and with that impression they made sale of the adjacent lot, reserving to themselves whatever they might receive from the City; but upon examining the records, it is ascertained this land was not taken by the Surveyors of highways; but as it is highly expedient the same be taken to widen the street (having reference to future improvements) the request the same may be now taken and a suitable remuneration made. They further state that the opposite corner piece of land by them purchased of Mr. Sarnam was paid for by themselves to accommodate the street and in case the City will take and pay for the above mentioned one hundred fifty three ¹/₂ feet, they will relinquish all claim for payment for the above corner land. Under these representations your committee are of opinion the applicants have no legal claim on the City for the said strips of land on Summer street, until the same is duly taken and if the board shall vote the same to be taken to widen the street, they report, that the applicants will be entitled to one dollar and twenty five cents the square foot.

Jeremiah S. Boies, for order.

Read & accented, & thereupon resolved, that it is inexpedient for the City to take said land.

Ordered, that the Mayor, Aldermen,
Walls, Common Loring and Wales be a committee on the Walls, Common
Fort hill and Fort hill.

Deer Island

Ordered, that Mr. Patterson, the Super-
intendent of streets, and Mr. Pollard, the City Marshal be
authorized to make such compromise and final settlement
with Suther, Sear the tenant of Deer Island as they may
deem just and equitable.

Tugalls

Caucus.

Application of William Tugalls, and others,
for the use of the Gas over the New Market house, in
the purpose of holding a Caucus on Sunday evening next.
Read and the prayer thereof granted.

Boardman

Copy of a petition of William Boardman,
Merchant, to the Court of Common Pleas, with the order of Court thereon,
that a Jury may be summoned according to law, to assess
the damages which he has sustained in consequence of
taking his lands to widen Merchants Row. Read & com-
mitted to Aldermen Welsh and Savage, to defend the same
before said Court, or to engage some other counsel for that
purpose.

Parker

Copy of a writ in favor of John Parker,
against the City of Boston returnable to the Court of Common
Pleas at Dorchester, to recover seven hundred ten dollars and twenty
cents more, had and received. Read and committed to Alder-
men Welsh and Savage, to attend to the same before said

Court, or to engage some other Counsellor for that
purpose. 101.

The committee to whom was referred the Message of the Honble Mayor on the petition of James Shepherd for reimbursement of expenses incurred during his sickness occasioned by an accident, which happened in the performance of his duty as a member of engine company No 10. have duly considered the subject, and ask leave to report, that the expenses are estimated at two hundred, thirty eight dollars, and sixty eight cents, viz bill for medicines fourteen dollars and sixty eight cents, Dr. Huntley's bill, thirty seven dollars and fifty cents; Dr. Ingalls bill twenty dollars and fifty cents, these expenses during his sickness, one hundred and seventy five dollars, and they are of opinion, the City is bound in justice to make partial compensation for injuries sustained by said Shepherd, while in the service of the City; therefore recommend the sum of one hundred and fifty dollars be paid by the City Treasurer to said James Shepherd, as a partial remuneration for his misfortune, and the same be charged to the appropriation for the fire department. By order of the committee.
Thos. B. Wales.

Read and accepted. Sent down for concurrence.

Came up concurred.

Ordered, that there be inserted in the Ward No 6. warrant for the meeting in Ward No 6, to be held on Monday next, an order to fill all vacancies existing in said ward.

Engine
N^o 10.

The committee of the City Council to whom was referred the Mayor's communication on the subject of the enlargement of several Engine houses, and the accommodating the companies with new ones respectfully report, That the subjoined statement, will exhibit the condition of the several engine houses and what is requisite to give satisfactory accommodations to the respective companies. From which it appears that with the exception of N^o 10 situated on the Mill bridge, no further provision need be made the present year for erecting any new engine house. Your committee having received various proposals for an engine house, on a specification of particulars herewith communicated, they have finally agreed for the sum of eight hundred dollars with a responsible master carpenter, in case the building of it be authorized by the City Council, a price which your committee deem reasonable. The state of engine house N^o 10, is such as in the opinion of your committee makes requisite the erection of a new building the present year for the accommodation of that company, all which is respectfully submitted by order of the committee. Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that a new engine house be erected the present year over the Mill Creek, for the accommodation of engine company N^o 10, at a sum not exceeding eight hundred dollars, and that the same be referred to the committee on appropriations. Sent down for concurrence. Came up concurred.

The committee on the petition of 103.

David Tillson, and others, praying, that they may be relieved. Tillson
from stagnant water, have examined the premises and are of opinion that
the health of that section of the City is endangered
unless there be some mode of draining the same under
ground; and the committee think a common sewer will eventually
be necessary, for near six hundred feet through Friend
street, but if two hundred feet at the westerly end to
Charles river, the petitioners will be relieved. I recommend
measures be taken to carry the same into effect.

Jeremiah S. Peories, per orders.

Read and thereupon ordered, that all persons interested
be notified to appear before this board, on Monday next,
seven o'clock, p. m., and shew cause, if any they have,
why a common sewer should not be laid through the
lower part of Friend street, and the expense thereof apportioned
upon those who shall be benefitted thereby.

The Assessors laid before the board Assessors
agreeably to an order of the City Council, a list of the
names and co-partnerships that were taxed in the year
eighteen hundred and twenty six, for personal property to the
amount of five thousand dollars and upwards, showing the
precise amount of real and personal estate, and the amount
of tax apportioned upon the same. Which being read it
was thereupon ordered, that one hundred copies thereof
be printed for the use of the members of the City Council,
Assessors and assistant assessors.

The committee upon the applica-

The bridge

tion of the Free bridge Corporation, ask leave to report, that having attended to their request, are of opinion that a committee be appointed whose duty it shall be to superintend the location of the bridge, approve of a plan and inroad for execution and report to the City government, from time to time, the progress and idleness of work and materials.

Tereniah S. Boies, her order.

Read and accepted, and thereupon ordered, that Alderman Boies and Wales be appointed on the part of this board. Sent down for concurrence. Came up concurred, and the Common Council appointed on its part Messrs. Waters, Carter and Ashmivall.

Smith
et

Application of Benjamin Smith in behalf of Mr. Parks, that a license may be granted him to exhibit an extraordinary large lion (et) at night on the west side of Sanuit Hall. Granted on paying thereof, two dollars per week.

Reed
Ann street

The committee on the petition of C. & T. Reed, for payment of the value of land taken to widen Ann street report, that the sum of two hundred dollars be paid them, in full compensation for said land, being about two hundred feet. Read and accepted.

Overseers of
Poor.

Ordered, that the further sum of sixteen hundred dollars, be added to the appropriation for

for the Owners of the Door. Came up for concurrence, 103.

Read and concurred.

Ordered, that the committee on City Wharf the Market, be authorized to lease the wharf near the mouth of the Mill Creek, for sixteen dollars, per month.

Adjourned to Monday next, seven o'clock P.M.

Monday April 2nd 1827.

Met according to adjournment.

Present. The whole board.

Petition of John Bray, and others, Bray praying, that an additional story, may be constructed to the Eliot School Eliot School house, for the accommodation of the Citizens of Ward N^o 1. Ward N^o 1, to hold their meetings Read in Common Council and committed to Mess^{rs} Barry, Williams and Adams with such as the Board of Aldermen might join, to consider & report. Came up for concurrence. Read and concurred, Aldermen Fennelly and Savage are joined.

(Communication of William Howe) Howe concerning the erection of a new Engine house, over the Engine house, Mill Creek. Read and committed to the committee on Mill Creek. The fire Department, with authority to place it in such position as may be thought expedient; said house to be for the accommodation of Engine company N^o 10.

Petition of Engine company No. 4,

Engine
No. 4

for some repairs and enlargement of their house. Read and committed in Common Council to Wm. W. Barry and Meriam; with such as the board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and the committee on the fire department are joined.

Apepors
Harvard
College

The committee to whom was referred the representation of the apepors of the City, setting forth that they are informed by the Treasurers of the City and County, that the President and Fellows of Harvard College refuse to pay the tax levied upon the real estate of said Corporation, in this City, having attended to the subject respectfully reports that they are perfectly convinced, that by the laws of the Commonwealth the real estate of Harvard College is not liable to be assessed for any taxes in this City, as the principle has been settled with precision in a case where the right of taxing such real estate was denied in the neighbouring town of Charlestown. Which is respectfully submitted.

Thomas Welsh, Clerk

Read and accepted.

Reliquary
Empire
Napoleon

Application of French Reliquary in behalf of M^r. Garsche's of New York for permission to exhibit at the Centre Hall over the New Market house a painting of the Coronation of the late Emperor Napoleon by the Great David. This picture is thirty six feet in length by twenty three feet

in height, and contains portraits after nature of many of the 10%
officers and persons who assisted at that august ceremony.
Read and the prayer thereof granted, on paying therefor,
one hundred dollars, per month, under the direction of the
Committee on the Market.

Application of Nathaniel Greene, in Knight
behalf of Mr. & Mrs. Knight, for a license to give a Concert.
Concert of music at Boylston Hall, on Saturday evening
next. Read and granted, on paying therefor five dollars.

Ordered, that the petition of David Tillson
Tillson, and others, and the report of the committee thereon, Friend St.
praying, that a drain or common sewer may be constructed,
so as to drain their cellars at the end of Friend street be
committed to the Mayor, Aldermen, Welsh and Savage to
consider and report.

An ordinance prescribing the manner City Marshal
in which the City Marshal shall hereafter be elected.
Came up for concurrence. Read and nonconcorded, by
unanimous vote.

Petition of Aaron Corey and Bela Corey (Greenwood)
Greenwood, praying, that some part of their rent may be
abated, in consequence of damage done to their property the last
winter in Cellar No 1, under the new Market house by frost & water.
Read & com^d to the com^{ee} on the Market, to consider and report.

Clough
Caucus

Application of Ebenezer Clough,
Thomas Barnes and Gerry Fairbanks, in behalf of themselves,
and their political friends, for the use of Faneuil Hall, for a
Public meeting on the Sunday evening preceding the ensuing
election of Representatives to the General Court. Read and the
prayer thereof granted.

Auctioneer

Daniel Parkman, licensed as an Auctioneer,
at Merchants Hall.

Adjourned to half past three o'clock tomorrow afternoon.

Tuesday April 3rd 1827.

Met according to adjournment.

Present. The Mayor. Aldermen Bellows, Welsh, Sennellay,
Boies and Savage.

Hayweiger

The board again proceeded to ballot
for Hayweiger, and the votes being taken, it appeared
that the whole number of votes was six, all of which
were for John H. Bradford, and he was accordingly chosen
in concurrence with the Common Council.

City of Boston
Protection of

Fire

An act of the Commonwealth, en-
titled "An act for the protection of the City of Boston, against
fire," being read, thereupon ordered, that the City Clerk give
notifications for a meeting of the Inhabitants of the City in
Faneuil Hall, on Thursday the twelfth day of April instant.

at seven o'clock A. M. to receive their ballots upon the 109.
acceptance of the same, agreeably to the provisions of the twenty
sixth section thereof.

The board proceeded to examine the Votes for
returns of votes from the several wards, given in on the second Gov. L. Gov.
day of April, instant, for Governor, Lieutenant Governor, Six Senators,
Senators and Councillors, for the District of Suffolk, and found
the whole number of votes given in as aforesaid, in the
several wards, were sorted, counted, recorded and declaration
thereof made as by the Constitution and law are directed.
The votes are particularly described and recorded in the
records kept for that purpose, and the several returns were
made out and signed by the Mayor, and a majority of
the Aldermen and attested by the City Clerk, sealed up
and directed to the Secretary of the Commonwealth accord
ing to law.

Petition of Richard A. Roberts, & Roberts,
others, praying that George Street may be accepted and re- George St.
corded as one of the public streets of the City. Read and
committed to Aldermen Welsh & Loring, to consider and
report. -

Adjourned to Monday next, seven o'clock, P. M.

Monday April 9th 1827.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

Salaries

An order to establish the salaries of the several officers of the City of Boston and County of Suffolk during the current year. Came up for concurrence.

Read and concurred.

Williams

New Street.

Petition of John D. Williams, and others,

praying, that a street be opened from Common across Warren to Pleasant streets, according to plan drawn by S. L. Fuller.

Read and committed in Common Council, to Messrs James, Williams, and Brinley, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Welsh and Wales are joined.

Appropriation

Ordered, that the sum of sixteen thousand dollars, be added to the appropriation for the payment of interest on the City and County debt. Came up for concurrence.

Read and concurred.

Spears

Ordered, that Monday next, seven o'clock be assigned for the choice of permanent spears, and that the City Clerk, publish notices in the newspapers, that applications for said office will be received until that time.

An ordinance fixing the number and M.
providing for the choice of permanent assessors. Came up for Hepers.
concurrence. Read and concurred.

Petition of Isaac Scott, praying liberty Scott
to dig a well in West Center Street, near Cambridge Street, & West Center St.
carry the water by suction across Cambridge Street to his house
in Bridge Street. Read and committed to Aldermen Welsh
and Loring, to consider and report.

Communication from William Payne, Payne
Esquire, President of the Boston Mill Corporation, relative to their Boston Mill Corp.
obligation to construct bridges over the Canal. Read. Whereupon
resolved, that in the opinion of this board, that if any other
bridges are to be built over the Canal they ought to be draw
bridges, and that the Mayor, Aldermen Welsh and Savage be
a committee, with authority to enquire into the rights of the
City in this respect, and in their opinion, the proprietors are
bound to build bridges, to insist upon such being built, and if
not, then to consider what measures ought to be taken on
the subject, and report. And that said committee be also
instructed to consider the sufficiency of the Wall of the Canal
on the easterly side thereof.

Communication from the Engine and hose Engine
Company No. 7, relative to the conduct of one of its members. No. 7.
Read and committed to the committee on the fire depart-
ment, to consider and report.

Petition of Engine No. 1, praying
 Engine No. 1. That the company may be augmented from forty to fifty mem-
 bers. Read and committed to the committee on the fire
 department, to consider and report.

Richardson,

Communication from Asa Richardson,
 relative to the repairs of the Engine house on School street, late-
 ly leased to him by the City, and the buildings on Court square
 leased to said Richardson to the City. Read and committed
 to the committee on the fire department, to consider & report.

Meriam,

Hubcock
 Amover St.

The committee, to whom the ~~within~~
 memorial of Levi Meriam, in behalf of Nancy Hubcock, a minor,
 report, that they think it just and reasonable, that the City
 should allow and pay as damages for the land taken as men-
 tioned in said memorial, the sum of fifty six dollars and a
 half, inasmuch as it cannot, at present appear that the public
 convenience and necessity require the same street to be widened,
 by taking part of the land on which the projecting building
 stands next northeasterly, but when the said building falls, is
 destroyed or removed, it will be expedient to take so much of
 the land aforesaid, adjoining that of the words of the memorial,
 as will make the line perfectly straight, but it will at the
 same time, probably be found, that the then owner of the mem-
 orialists estate will agree gladly to pay half, or a larger por-
 tion of the expense of such widening.

For the committee, Robert Fennelly.

Read and accepted.

Petition of Thomas W. Perkins & 113.

Franklin Peter, Esquires, in behalf of the Proprietors of the Athenaeum, praying the loan of the painting of Washington, by Gilbert Stuart belonging to the City, in Faneuil Hall, at an exhibition of pictures at their new gallery. Read and committed to Aldermen Bellows and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Mep^r Waters, Williams Sprague.

Memorial of the Superintendent of "unincorporated" burial grounds, relative to repairing the fence of the burial grounds on the Neck. Read and committed to Aldermen Bellows and Loring, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Mep^r Wright, Gould and Lewis.

Remonstrance of Charles W. Holbrook, & Holbrook — others, against erecting a new engine house on the Mill pond, Mill pond near Hanover street. Read and committed to Aldermen Tinnell, Virgin, Howe and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Mep^r Morey, Dyer and Wilkinson.

Lepe Bird and William H. Foster were Firemen admitted firemen Ward N^o 4. Ward N^o 4.

114.

Petition of Jonathan Whitney, pray-

Whitney ing leave to erect the wall of his wharf and stores, that he is about erecting on the line of his land, and the City's, which the City bought of John D. Howard, and also that the City would sell him a small gore of land between said Whitney's wharf and a passage way leading to Howard's wharf. Read & committed to the committee on the subject of the City and County lands, to consider and report. Sent down for concurrence. Came up concurred.

Williams
New Street.

Petition of John D. Williams, and

others, that a new street may be opened near the head of Long wharf, from State street to Chatham street. Read and thereupon resolved, that the whole board will meet on the ground on Thursday morning next ten o'clock.

Eliot
Beacon Street.

Notice from Samuel A. Eliot, that he

is about building on Beacon street, and praying leave to continue the common sewer so as to drain his cellar. Read & committed to the Mayor, with authority to grant the same.

Worster

The committee to whom was referred the petition of William Worster, to have a fine and costs refunded to him, the proceedings being quashed, & held, that the fine and costs paid into the County Treasury, for the reasons set forth by him be repaid. Read and accepted.

Wordsmeasurer

John R. Bradford nominated Saffron

Wordsmeasurer for the northern district.

Ordered, that the Mayor, and 115.

Alderman Bellows be a committee with authority to grant
to George H. Richardson to open the common sewer in
Mason street.

Amount and particulars account of Taxes abated.
The abatement of taxes for the year 1826, laid on the table
by the Assessors.

Adjourned to Thursday next, ten o'clock A.M.
to meet at the head of Chatham street.

Thursday April 12th 1827.

Met according to adjournment.

Present - The whole board except Alderman Alger.

The board viewed Chatham street, & Williams
the land and buildings where the new street is surveyed for
by John D. Williams, and others, to run from Chatham to
State streets.

The board afterwards attended the General meeting
general meeting of the Inhabitants at Town Hall.

Ordered, that the City Clerk issue Warrants to be
warrants in the adjourned meeting, to be held at Town Hall
Hall, on Thursday the 21st instant, and that a copy of the
Law be printed with the notice of the adjourned meeting
ably to the vote of y.^e Inhabitants.

Adjourned to Monday next, seven o'clock P.M.

Monday April 16th 1825.

Met according to adjournment.

Present The whole board except Alderman Alger.

Apepos
chosen

Applications for the office of permanent Apepos were received from Messrs Francis Green, Nathan Webb, John Stevens, Samuel Norwood, Henry Buss, Thomas C. Amory, William Coolidge, Junr, John Sainier, Nathaniel Greenough, John J. Jerome, Samuel Howe, Thomas Jackson, Lewis Lerow, Eliphalet Fale, and Isaac Rhoades. Which being read the board proceeded by ballot to elect five permanent apepos, for the year ensuing, and the votes being taken it appeared that the whole number of votes was 8.

Necessary for a choice 5.

Henry Buss	had	8.
Samuel Norwood	"	7.
John Stevens	"	5.
Thomas C. Amory	"	5.

And they were chosen.

Francis Green	had	4.
Lewis Lerow	"	3.
Thomas Jackson	"	3.
Nathan Webb	"	1.
Nathaniel Greenough	"	1.
John J. Jerome	"	1.
Isaac Rhoades	"	1.

The board proceeded again by ballot to elect one apepos, and the votes being taken it appeared that

The whole number of votes was as before 8. M.

Necessary to a choice 5.

Thomas Jackson had, 3.

Lewis Lerow " 3.

Francis Green " 1.

Nathaniel Greenough " 1.

No one having a majority of votes
the board again proceeded to ballot for one assessor & the
whole number of votes was as before 8.

Necessary to a choice 5.

Thomas Jackson had five, and he was
Chosen.

Sent down for concurrence.

Came up concurred.

Petition of Theodore Dexter, that the
line of the street in front of his house on Hanover street, may
be run, and he be remunerated for the land taken the
last year to widen said street. Read and committed to
Aldermen Boies and Wales, to consider and report. Dexter
Hanover street

Petition of James Bartlett inclosing
an account against the City of Boston, for trucking &
carting, in the years 1818, 1819, 1820 & 1821, claiming
for the same. Read and committed in the Common Council
to the Committee on accounts, to consider and report. Came
up for concurrence. Bartlett

Read and concurred.

Ordered, That a lamp be lighted in Arch street. Arch street

Petition of Samuel Brown & Co.
Enoch A. Shelling, praying that the common sewer in Silston street may be taken up and repaired. Read and committed to the Mayor, to consider and report.

Tobias M. Perkins
subject of the petition of Thomas M. Perkins and Franklin Perkins, praying for the loan of the Portrait of Washington for exhibition at the Athenaeum. Report, that in their opinion it will be expedient to grant the prayer of this petition, upon the following conditions viz: that the picture be safely returned on the second day of July, next, and also at any other time that its return may be required by the Mayor & Aldermen and replaced in the place which it now occupies, at the expence and risque of the Athenaeum. Per order of the Committee.

W. Bellows, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Clap & Sewall
Merchants Row, of Clap and Sewall, claiming damage in consequence of removing from a store on Merchants Row: reported, that they hold a lease of the premises until the second day of August, next, and that the amount of rent and taxes with the interest, from the time of payment, will be five hundred & forty one dollars, and seventy four cents, and they report, that said sum be paid them in full of all demands.

Read and accepted.

The committee on the petition 119.

of Joseph T. Bradley claiming damage for removing his goods from a store in Merchants Row reported, that the petitioners Merchants Row have leave to withdraw his petition. Read & accepted.

Ordered, that the form of the Fire department certificates to be issued by the Mayor to the members of the fire department be as follows. - Boston May 182

This certifies that B. is a member of the fire department in the City of Boston, for the year 182. Mayor.

And that in the first week of May, annually, he deliver a sufficient number to the Chief Engineer of the fire department, to be distributed to the respective members, conformably to the act of the Legislature passed March 2^d 1827.

The committee to whom was referred the petition of George Blake and others praying for the extension of Cooper street to Salem street, have visited the premises and find it to be an extensive undertaking on account of several valuable buildings that would have to be demolished, therefore the prayer of the petitioners cannot be granted, at the City's expense, but should the buildings be removed by subscription, and a street opened, the committee recommend the City to pay three hundred dollars as their part.

Robert Fennelly, Chairman

Read and accepted,

and ordered accordingly.)

Memorial of Daniel Baxter, and

Baxter others, praying, that the Mayor and Aldermen would cause a complaint to be lodged with the Judge of Probate that said Jackson, a Guardian may be appointed, according to law, to Ann Jackson, widow of Thomas Jackson, late of Boston, laborer, deceased, who does through weakness of intellect, carelessness, & want of thrift, so spend, waste and lose her estate as to expose herself to want and is in danger of becoming a charge and expense to said City. Affidavit being produced and sworn and examined, it was found that the statements made in said memorial are true. Whereupon it was ordered, that a complaint be made to the Judge of Probate accordingly.

Cutter & Hancock
Amown st.

Petition of Cutter & Hancock praying that the common sewer in Hanover street leading from Richmond street, westerly, may be extended as far as the land owned by the petitioners, and the expense thereof apportioned according to law. Read and thereupon ordered, that all persons interested be notified to appear before this board on Monday, next, seven o'clock, P.M. and object to the same if they see cause.

Attorney &
Recorder

The committee appointed upon the subject reported. An ordinance providing for the appointment and duties of an Attorney Solicitor, for the City of Boston. Read and passed.

Sent down for concurrence.

Came up concurred with amendments. Read and concurred.

The committee to whom was | 121.

referred the remonstrance of Charles Holbrook, and others, Holbrook respecting the building a new Engine house on the Mill Engine house Creek, report, that they have visited the premises and found well. The work fast progressing, and after much consideration a majority of the committee are of opinion, that the work ought to go on, and be completed, it is the opinion of the committee, that it is very uncertain when a street or highway may be laid out and should there be one at any time hereafter, the engine house, can be removed to some other place in the vicinity at a small expense.

(Robert Fennelly, Chairman,

Read and accepted. Sent down for concurrence.

Came up concurred.

The committee having examined the Boylston
Boylston School house, with the apartments are fully of. School house
opinion the repairs as requested by Messrs Fox & Emerson
are expedient, and from an estimate made by Mr. Patterson
the cost will probably be about two hundred dollars, and
they recommend the same be forthwith completed and they
advise to pass the following order. Jeremiah A. Boies in ver.

Ordered, that two hundred dollars be appropriated for
the repairs of the Boylston School house and land adjacent to
be taken from the funds appropriated for public buildings. -

(Read and accepted. Sent down for concurrence.

Came up concurred.

The committee to whom was referred, the petition of John Bray and others, for an alteration in the Eliot School house, report, that it would not in general be expedient to provide rooms exclusively for ward meetings, and that the citizens of ward N^o 1, like those in some other wards of the City may be sufficiently accommodated in the School house of said ward, but that inasmuch as it is conceived, the School is inconveniently accommodated in the lower story of the house and both the upper and lower school rooms are materially in need of repairs and the good of the school requires an addition of a story to give better light and air and greater security from noises; besides furnishing room by a new arrangement of seats for fifty more children in each room, whenever the said improvement of the School house is effected, it will be reasonable and proper now of the present lower story of said house to apply the greater part of it for a ward room and the residue for an engine house in which latter purpose the City is now paying a ground rent. Robert Funnell, Chairman of the committee. Read and sent down.

Offices to be

advertised

negatives

Ordered, that all offices whereunto a salary is attached under the City government, and which are to be supplied by the City Council, be advertised in one or more papers of the City, one week previous to the election of said officer. Came up for concurrence. Read and nonconcurrent.

Adjourned to Monday next seven o'clock P.M.

Monday April 23rd 1827.

123.

Met according to adjournment.

Present - The whole board, except Alderman Alger.

The subscribers respectfully report, Spear
that by an order of your Hon. board, passed on the twenty Deer Island
sixth day of March, last, they were authorized to go down
to Deer Island and make such a compromise with Mr. Spear,
the tenant as they might deem just and equitable. Accord-
ingly, on the twenty seventh day of the same month, they
retained to the said Island, where they met Mr. Luther
Spear, and heard the representations he had to make in
relation to a large quantity of manure in his possession,
and to certain work done by him on the Island, for which
he claimed a remuneration. It appears by a stipulation in
the lease, executed on the twelfth day of January, D. 1824,
from the City of Boston, to Spear, that the City agreed
to furnish said Spear, with the manure (or the value of it)
which was then on said Island, if he should be able to
purchase it of the occupant (Mr. Jewksbury) and the said
Spear engaged to leave as much manure as he received, on
the Island, when he should quit it. In regard to this
matter, Spear represents, that he purchased of Mr. Jewksbury,
nearly seven cart loads for which he paid him the sum
of ninety dollars; and that he had not received from the
City any reimbursement. Though the subscribers have not
seen or conversed with Mr. Jewksbury on the subject, they
have no reason to doubt the representation of Mr. Spear, since

124. no trace can be found of an allowance made to him of man-
ure on the part of the City; the subscribers therefore directed,
that ninety seven bush loads should be separated from the
other, as belonging to the City, and they agreed that all
which remained should be heaped into piles, and (as there
might be a difference of opinion as to the quantity &
value) that the same should be estimated by three dis-
interested persons, farmers, living in Chelsea, who were ac-
quainted with the kind of manure, which estimate Mr.
Hear agreed to receive, and they to allow to be deducted
from the rent to the City now due. It may be here
remarked, that the new tenant Mr. Bellamy is willing
to receive the manure and to leave as much when he shall
give up the Island, or an equivalent in money. The
subscribers also agreed, to allow Mr. Hear the sum of twenty
dollars, for a pump placed in the well by him, which
is in perfectly good order. They also agreed to allow him
the sum of thirty dollars, for an addition made by him
to the living hall, which he affirms cost him more than
eighty dollars. Mr. Hear also engaged to replace the broken
locks on the doors, to repair the windows at his own expense,
and to deliver up the Island to Mr. Bellamy the new
tenant, on the fourth day of April, current. In the mean-
time he agreed to give every facility to Mr. Bellamy's workmen,
in making any alterations or repairs. To carry into effect the
first part of the agreement, the subscribers on the fourth day
of April, instant, accompanied by Messrs. David Reed, James
Hoyd and Zachariah Hall, Messrs. of Chelsea, went from

that town to New Island, where these farmers made the 125.

required estimate of the manure, both as to quantity and value. It appeared that there were fifty nine and an half cords of manure valued at one hundred and fifty dollars and about twelve cords of other manure, at thirty five dollars. The subscribers found Mr. Perkins on the Island, where he was erecting bowling alleys, and appeared to be in possession of half of the house. The agreement made with Mr. Spear, and the award of the appraisers, they herewith submit, hence it will appear, that the allowance to be made to Mr. Spear are as follows viz:

Amount paid by him to Mr. Newkling, in the year 1824, for manure, ninety dollars; amount of manure left according to the appraisement in April 1827, one hundred and eighty five dollars; amount for pump and addition to dining room fifty dollars. Amounting in the whole to three hundred and twenty five dollars. The sum due for rent from Mr. Spear on the first of April 1827, would be four hundred and fifty dollars. He would therefore be left due from Mr. Spear, one hundred and twenty five dollars, which results from the terms of the lease. Respectfully submitted. Benj. Follard

Enoch Patterson.

Read and accepted, and referred to the Mayor to see the necessary papers prepared.

An order relative to specific Appropriations
appropriations. — Came up for concurrence.

Read and concurred.

Appropriation to whom was referred the Auditor's annual report relative to Auditors and the appropriations, and ways and means for the ensuing financial year, respectfully report. That having carefully considered of ways means that report, and examined its particulars, they have prepared and now submit an estimate of appropriations, necessary to meet the anticipated exigencies of the ensuing financial year, indicated upon their reduction to the lowest possible amount.

When comparing this estimate of expenditures with that of the past years it will be found, that many of the items, and particularly those for paving and widening streets have been considerably reduced; and that in no one has the appropriation been increased beyond the actual expenditure, under the same head, the last year. The only exception to the preceding statement will be found in the item for the reduction of the public debt which has been increased from fifteen thousand, the usual appropriation for that object, to thirty thousand dollars. The whole amount of appropriations necessary to ~~make~~ meet the anticipated exigencies, for the ensuing year, exclusive of that destined for the reduction of the debt is two hundred ninety seven thousand one hundred dollars. In addition to this it is proposed to retain a reserved fund, subject to the control of the City Council, for exigencies at present unanticipated, amounting to fifteen thousand dollars. The amount of the City debt proposed to be paid off the present year out of the current annual revenue, as above stated is thirty thousand dollars, the two last sums added together make forty five thousand dollars, which added to the above sum of the anticipated

estimated annual exigencies constitutes a gross amount of expenditures as 127.
estimated at three hundred forty two thousand one hundred dollars. Auditor's

Touching the amount of the City debt proposed to be paid, report
off the present year, out of the current annual revenue, your expenditures
Committee have proposed the measure, upon a deliberate con- 4
sideration of general duty, and intending it to be the basis of
a system, which, by the virtue and firm adherence to it, of
future City Councils, shall, in time, become a fixed principle
in the management of the financial concerns of the City.

The principle that a part of the public debt should be
paid off every year out of the current annual revenue,
your committee deem essential to a wise management of its
affairs; and they apprehend that the amount so discharged
should never be less than the sum now proposed, so long
as the City debt shall bear any proportion to its present amount.

In adopting this principle, your committee have had no
reference to the general resources of the City, applicable, in
future times, to the discharge of the existing City debt. The
lands, wharf rights and bonds transferred to the City by the
Daniel Hale Market Committee, the lands west of Pleasant
Street and south of the south line of the Common extended
westwardly to the west bounds of the City, for which the principal
part of the existing City debt was incurred, together with
the Neck lands, constitute available resources sufficient, in
all times to provide an adequate fund for the payment of
the existing City debt. But in the opinion of this Com-
mittee, it will be wise to preserve those resources as clear
of incumbrances as possible; for those future exigencies, which

128. our city may anticipate, and for which it ought to be
Auditors annual vide: by a systematic ~~XXXXXX~~ application of its current an-
Report of expend. annual revenue to the discharge annually of a part, at least,
No. of the city debt. And where the occasional annual ex-
penses render such a system impracticable, without an in-
crease of the annual tax, it presents a case, in which it
is wiser to augment the annual tax to an amount suf-
ficient to carry into effect this principle. The right to
impose burdens, on future times, for objects of a general and
permanent character is unquestionable. But there is a moral
line, conclusive duty, not less unquestionable and imperious,
which requires that the payment should be fairly spread
upon every present as well as upon future years; not only,
out of regard to the certainty that future times will, like us,
have exigencies of their own, but also because this is the only
mode of counteracting a tendency, at once natural, and if allowed
to become predominant, ruinous, to liberate ourselves from present
burdens by throwing them wholly, or in an unreasonable propor-
tion, upon those who are to come after us. It is for this
object, and on this principle alone, that your committee
have recommended the increase of the annual tax to the
amount of two hundred and fifty thousand dollars. In con-
currence with the same views your committee have deemed
it essential to strike from the estimate of ways and means
the following items, usually included in it viz: —
Balance of money in the treasury on the 1st of May, estimated
at ten thousand dollars; Notable sales of city property five
thousand dollars; Notes becoming due the present year amount

ing to twenty one thousand four hundred dollars; making an 129.
aggregate of thirty six thousand four hundred dollars. These Auditor's annual
items your committee consider as strictly of the character of report of extraordinary
capital, and as such, to be applied to the payment of debt.
By this deduction the estimate of ways and means herewith
submitted is proportionably reduced, and an amount is left
strictly of the character of ordinary revenue, and as such ap-
plicable to ordinary expenditures of ninety seven thousand
one hundred dollars. Should the City Council sanction the pro-
posed annual tax of two hundred fifty thousand dollars. After
deducting the usual allowance for abatements of five thousand
dollars, the net current revenue from the annual tax the
present year will be, two hundred and forty five thousand
dollars, and the annual current revenue from all sources for
the year will be, three hundred forty two thousand and one
hundred dollars. This will provide for every known particu-
lar exigency of the City and will enable the City to pay off
thirty thousand dollars of the City debt out of its annual
current revenue, and also from its reserved capital, above stat-
ed thirty six thousand four hundred dollars, making an ac-
tual reduction of the City debt the present year of sixty
six thousand four hundred dollars. And should circum-
stances render it expedient, or practicable, to make sale of any
considerable portion of the land lying north of the block of
stores on North Market street, a reduction of the public debt may
be fairly anticipated, the present year, little, if any, short of the
above portion of the debt, which will fall due within the year,
amounting to eighty seven thousand dollars. In connexion with

130. This subject, your committee have deemed it their duty, to re-
Auditors annual commend a system of a permanent and efficient character, having
report of expend. for its object, the establishment of funds for the payment of the
whole City debt. For this purpose they respectfully recommend
the adoption of two orders, which are herewith submitted, for
establishing a committee to be composed of the Mayor, the
President of the Common Council, and the Chairman of the
Committee of finances for the time being, to be denominated "A
Committee for the reduction of the City debt," and directing the
Auditor to open accounts with that committee, and to pass to
their credit. 1. The balance of money remaining in the Treasury
at the end of the present and every future financial year.
2. All receipts from the sale of real estate belonging to
the City of every description. 3. All receipts on account of
the capital sum of any bond or note, now owned, or which
may hereafter be owned by the City. 4. Thirty thousand
dollars of the annual tax, in the present and every future
financial year. A proceeding of this kind will, in the opinion
of this committee be well received by our fellow citizens and
be accepted as a pledge of the determination of the City Council
to make a systematic and efficient provision for the payment of
the City debt. By keeping the funds destined for this object,
thus separate and distinct from the funds applicable to ordi-
nary expenditure any deviation from the wholesome system now
proposed would be more palpable and less apt to be con-
cealed. If in addition to these orders, the City Council should
adopt another in relation of the nature of self restriction, when
by it should be established as a general principle, that in the

present and every future year, after passing the order for the
general annual appropriations no subsequent expenditure shall
be authorized for any object for which provision is not made in
that order, or which shall not be provided for by a transfer
of some of the appropriations contained in it, your committee
apprehend that the most efficient practical security within
the power of the City Council will be given, not only for apply-
ing to the payment of the City debt, all the funds of the City,
which are of the nature of Capital, as well as thirty thousand
dollars of its current annual revenue, but also for preventing the
entering upon projects in the subsequent progress of the year, for
which our successors will be left to provide either out of the
annual resources of the ensuing year, or by creating a debt; a
practice which renders the whole system of appropriations ineffi-
cacious and necessarily introduces uncertainty and confusion into
all the financial arrangements of the City. To ascertain the views
of the City Council on both these points, your committee, in
addition to the usual order relative to the appropriations for
the years report, three orders, for its consideration and adoption.
All which is respectfully submitted, by order of the Com-
mittee.

Asiah Quincy, Chairman,

Ordered, That the Mayor, the President of the Common
Council, and the Chairman of the Committee of Finance, for the
time being shall, during the present, and in all future years,
constitute a committee to be denominated "The committee for
the reduction of the City debt," whose duty it shall be, and
they are hereby authorized, to cause all moneys, paid to their
credit in the books of the auditor of accounts, to be applied

132. to the payment or purchase of the capital of the debt of the Auditor's annual City, in the manner they may, from time to time, deem most report of expend. expedient; and it shall be the duty of the auditor and
He. Treasurer of the City, to conform to all orders in writing in this respect, which shall be made and signed by all the members constituting the said committee.

2. Ordered, That all balances of money, hereafter remaining in the Treasury, at the end of any financial year, all receipts, in money, being the proceeds of the sale of real estate of any description, now belonging, or which may hereafter belong to the City, all receipts on account of the capital sum of any bond, or note, now owned, or which may hereafter be owned by the City; also fifteen thousand dollars of the annual City tax, in the present and in every future year, be and the same hereby are appropriated to the payment or the purchase of the Capital of the City debt; and it shall be the duty of the Auditor, annually, and in every year, to pass to the credit of the committee for the reduction of the City debt, all receipts, in money, the proceeds of either of the sources above mentioned, and the said amount out of the annual tax; and the sum so passed to the credit of the said committee shall be drawn from the Treasury of the City for the payment or purchase of the Capital of the City debt in the manner prescribed in the preceding order, and in no other mode, and for no other purpose, whatsoever, provided always, that it shall be in the power of the said committee and they are hereby authorized to loan on interest, to the Treasurer of the City, any amount so passed to their credit, as aforesaid, as may

at any time, not be wanted for the purchase or redemption of 133.
said debt.

3. Ordered, that in the present, and in every future year, after passing the annual order of appropriations for the year, no subsequent expenditure shall be authorized for any object, not embraced in said annual order, or for which provision shall not be made by a special transfer of the whole or a part of some of the appropriations contained in such annual order, unless provision be made for the same by expressly creating therefor a City debt, nor unless the same shall be passed by two thirds of the whole number of each branch of the City Council, by vote taken by Aye and Nay. Read and accepted in Common Council, and the orders passed as amended. Came up for concurrence. Read and concurred.

Order of the Common Council appointing Internal Health
Messrs. Bigelow, Williams and Dyer, with such as the board of
Sanitation might join, a committee to take into consideration the
affairs of the internal health department, and report what altera-
tions, if any it may be expedient to make therein. Came up for
concurrence. Read and concurred, and the Mayor. Aldermen
Bellows and Savage are joined. The Common Council afterwards
joined to said Committee, Mr. Hallett.

Ordered, that the sum of two hundred Tax.
and thirty five thousand dollars, be raised by assessment on the
polls and estates of the inhabitants of this City, agreeably to law,
to pay the current expenses of the City, and of the County of

134. Suffolk, during the financial year, which will commence on the first day of May 1827, and will close on the thirtieth day of April 1828.

Came up for concurrence. —

(Read and concurred. —

Davis

Petition of James Davis, and others, abut

Mill Creek lots and owners of land adjoining the Mill Creek, praying that said creek may be bridged over with plank or other substantial materials and opened for a highway. Read and committed in Common Council to Messrs James Moray and Bigelow with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Welsh and Tennelly are joined. —

Donnell

Hamilton
Washington St. The referees mentioned in the submission annexed to the same signed by a committee of the Aldermen in behalf of the City, and George Donnell for himself and in behalf of Thomas Sheafe, Samuel Sheafe, trustee of Elijah & F. Thompson, Alexander S. Chadbourne having notified, respectively met and heard the parties, and their several allegations, proofs and duly considered the same. Do determine and award that the said heirs of Mary Hamilton and George Donnell shall recover of the City of Boston, and from the Mayor & Aldermen thereof, the sum of four hundred dollars, in full of the damages by them sustained in the premises, to-wit, for the taking one hundred and fifty square feet of land, and the damage sustained by Donnell as tenant or lessee. And including the sum of forty dollars by Donnell paid to Mr. Frosh one of the tenants under

him / the claims of the other tenants under said Donnell to be 135?

claimed hereafter of the City. And we do award; that said Donnell shall reclaim for himself, two hundred and thirty dollars fifteen cents, part of said sum of four hundred dollars, and that he shall receive one hundred and sixty nine dollars and eighty five cents, the residue of said four hundred dollars, for the said heirs of said Mary Hamilton. And the fees of the referees in this case taxed at fifty dollars, shall be paid equally by the parties, to wit, one half by said Mayor and Aldermen, and the remaining half or twenty five dollars shall be paid; fourteen dollars and fifty eight cents by said Donnell, and ten dollars and forty two cents, by the said heirs of Mary Hamilton.

Augustus Peabody
Wm. Lawrence } Referees.

The foregoing report read and accepted, and ordered, to be paid.

Petition of Thomas Williams, that he Williams may be allowed damage in consequence of the City's taking his Washington St. land to widen Washington street. Read and committed to Aldermen Bellows and Alger, to consider and report.

Petition of John L. Plambock, praying, Plambock leave to dig a well in Essex street and to take water therefrom, Essex street by suction. Read and committed to Aldermen Bellows & Alger, to consider & report.

Ordered, that notice be published requesting the Inspectors of Elections to attend the meeting at Town Hall on Thursday next. Elections

It appearing to this board, that
 Cutler & Hammond notice has been given, agreeable to the order of this board, on
 Dover St. The petition of Cutler and Hammond to have a common sewer
 laid and extended westerly from Richmond street. And no one
 appearing to object, thereupon ordered, that the same be con-
 structed as prayed for by the Superintendent of streets under the
 direction of the Mayor: —

Putnam.
 Petition of Jesse Putnam, and others.
 Cows & Calves in Mowing, that the cows and calves brought into the City for
 State street sale may no longer be exhibited in State street. Read and
 thereupon ordered, that no cows or calves be permitted to stand
 in State street, and they be permitted to stand near the City
 scales, in the square at the junction of Cross, Merrimac, &
 Union streets. And that the City Marshal be enjoined to keep
 the streets clear of cows, calves, Carts &c.

Fire departm^t.
 Ordered, that annual certificates for
 Certif. for members the members of the fire department be delivered by the Mayor
 to the Chief Engineer, on the last week of April, annually,
 to be distributed by him to the members of said department on
 the first day of May, and that the section of the act in ad-
 dition to the act establishing the fire department relative to ex-
 emption from the militia service, be published annually, for the
 information of all concerned.

Superintendent
 of streets. An ordinance establishing the office of
 Superintendent of streets, prescribing the duties thereof. Came up for
 concurrence.
 Read and concurred.

The licenses to remove houses 137.

offal having expired by their own limitations, it is ordered, that House offal no more be granted, without the further order of this board.

The committee on the petition of Roberts
Richard S. Roberts, reported, that it is inadvisable to accept George street.
George street, the same not being in a proper state to be received.
(Read and accepted.)

Ordered, that the assessors be re- Assessors
quested to examine the list of all the names of persons and Taxes
copartnerships in the City who were taxed the last year for
personal property to the amount of five thousand dollars and
upwards, with the precise amount they were taxed on real
estate and personal estate or property, this year returned, and
ascertain if any omissions occur in the same, and afterwards
to make return of said list, under their hands, as speedily as
may be, supplying the omissions, if any be found.

Sent down for concurrence.

Came up concurred.

Communication from the City Marshal City Marshal
representing, that certain persons under the direction of the pro respecting proper
prieters of Mill Pond wharf had taken sundry scow loads of Mill Pond Wharf
mud from the flats opposite the Gaol wharf. Read & committed
to Alderman Welsh.

Adjourned to Tuesday the first day of
May, next, seven o'clock P. M. -

Special meeting.

Thursday April 26th 1827.

Present. The Mayor. Aldermen. Bellows. Soring. Kemmelly.
Bois and Savage.

Apeors

Ordered, that Samuel Norwood, John
Assistant Apeors Stevens, Henry Bap, Thomas Jackson, and Thomas C. Amory be
sworn April 30th and they hereby are constituted and appointed Apeors of the
public taxes, within and for the City of Boston, the year en-
suing.

It is further ordered, that the persons here-
after named be, and they hereby are appointed assistant apeors
within and for the City of Boston, the year ensuing. Viz:
Samuel Beal & John Simmons, Inhabitants of Ward No. 1.
William Grubb & Benjamin Dodd " " " 2.
Savra Crane & Warren Bowker " " " 3.
Samuel Perkins & Jeremiah Fitch " " " 4.
Elihu P. Hartshorn & Hushing Nichols " " " 5.
William Briggs & Daniel P. Parker " " " 6.
Elihu Chadwick & Isaac Danforth " " " 7.
Henry Gapett & Silas Bullard " " " 8.
Henry Sigourney & James A. Staples " " " 9.
John W. Bradlee & Charles F. Kupper " " " 10.
Daniel Baxter Junr. & Josiah Alderman " " " 11.
Charles Ellis and Josiah Dunham " " " 12.

It is further ordered, that the Board of apeors
hereby appointed & constituted, proceed to assess the taxes of the current
year, according to law.

Same act for concurrence

Read & concurred.

The assessors reported, that they, 139.

have carefully re examined the list of persons and copartnerships that were taxed in the year 1826, for personal property to, return of persons, the amount of five thousand dollars, and upwards and find taxed &c. it correct and conformable to the order of the City Council of November 6th 1826, with the exception of three omissions.

Read and sent down.

The board proceeded by ballot to Superintendent the choice of Superintendent of streets, and the votes being taken, it appeared that Enoch Patterson was unanimously chosen. Streets.

Sent down for concurrence.

Came up concurred

On the petition of Henry Lincoln, Lincoln, and others, praying, that the common sewer in Portland street, Portland St. which was commenced the last year, may be completed as soon as practicable. Ordered, that all persons interested be notified to appear before this board, on Tuesday next, seven o'clock P.M. and show cause, if any they have, why said common sewer should not be extended, and the expense thereof apportioned upon those who shall be benefitted thereby.

On the petition of David Tillson, Tillson's and others, praying, that a common sewer may be made so Portland St. as to drain off the water from a pond between Friend & Portland streets at the westerly end of the same. Friend's Street. Read thereupon ordered, that it is inexpedient to grant the prayer of said petition.

150.

Ordered, that the Mayor and

Recorder or Alderman Savage, be a committee to consider the state of the ancient records in the Register of deeds office in the County of Suffolk, and report whether any thing is necessary to be done for their further preservation or more convenient consultation.

General meeting.

The Mayor and Aldermen attended the adjourned meeting of the Citizens at Faneuil Hall.

Adjourned to Tuesday next, seven o'clock P. M.

Special meeting;

Saturday April 28th 1827.

Present: The whole board except Alderman Alger.

Hewins

On the statement of Simon H. Hewins

New Street.

and others, that a subscription had been made to open a street nearly forty feet wide from State to Chatham Streets, in the direction of the present passage near the head of the Long wharf, thereupon resolved, that in case the same be carried into effect as proposed the City will give towards the same five hundred dollars.

Dexter

Annex Street.

The committee have ascertained the quantity of land taken from Theodore Dexter to widen Annex Street, to be one hundred and forty one feet, and they estimate the value of the same at one dollar and fifty cents the square foot, total amount two hundred and eleven dollars and fifty cents, which sum they report as expedient to pay him as soon as his

land is laid open to the street, and the side walk laid, McGray M.A.
Having agreed to the same terms and conditions for his land
adjacent, they recommend he also be paid the like sum per
square foot. The committee also recommend the same sum
per square foot on the same conditions be paid for all the
land taken on the same side of the street lying to the south-
west of Mr. Lyman's land. Jeremiah S. Davis, per order.
Read and accepted.

The committee on the petition of Isaac Scott, praying leave to dig a well in West Centre
street, that the prayer of said petition be granted, upon the following conditions viz: the well to be the
property of the city, and the petitioner be permitted to take
water from the same by suction, through lead or iron pipes,
and that the work be done under the superintendence
of the Superintendent of streets. A curb to be placed over the
well in such a manner as to admit a hose of an engine.
By order of the committee, John T. Loring.
Read and accepted.

Ordered, that the Mayor be authorized to employ Constables on the Common on the morning of
the first day of May, for the protection of the trees.

Adjourned to Tuesday next, seven o'clock, P. M.

Tuesday May 1st 1827.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

Message from
Common Council

A message was received from the Common Council, proposing a convention of the two branches of the City Council, this evening at eight o'clock, for the purpose of determining the number of Representatives, that it will be expedient for the City to send to the next General Court.

Aldermen
man

A message was sent to the Common Council, that the board of Aldermen concur in the proposition to form a Convention at the time and for the purpose above expressed.

In Convention.

Representatives

matter agreed upon

Agreeably to adjournment a Convention of the City Council was formed in the Common Council Chamber, for the purpose of determining the number of Representatives, it may be expedient for the City to send to the next General Court.

The question being taken it was determined, that the number should be thirty.

The business of the convention being accomplished the two boards separated.

Warrants for

Nine meetings.

Ordered, that warrants be issued for the meeting of the Citizens in their several wards on Thursday the tenth instant, at eleven o'clock A.M. for the choice of Representatives. The poll to be kept open until three o'clock P.M.

Petition of Henry Gassett, and 1113.

others, occupiers of stores on Chatham street, praying that said Gassett
street may be repaired and improved, so as to remove the Chatham street
obstructions which now exist in the same. Read & com-
mitted to Aldermen Boies and Wales, to consider & report.

Petition of Ebenezer Smith pray Smith
ing, leave to erect a cistern to catch rain water under Friend Market
the side walk near the building, he is now erecting on Merrimac street.
Friend Market and Merrimac streets. Read and committed
to the committee on the fire department, to consider and
report.

Ordered, that Aldermen Loring, New Market
Boies and Wales, with such as the Common Council may, House Hall
join, be a committee to consider and report upon the ex-
pediency of the City's leasing the Malls over the New
Market house, and in what manner, the same shall be
so leased. Sent down for concurrence. Came up concu-
red, and the Common Council joined on its part Messrs
Sprague, James, Hallett, Lodge and Bacon.

Application of Charles Nolen, Esq. Nolen
for a license to exhibit a solar Microscope in Boylston, Solar Microscope
Hall, one or two months. Read and the prayer thereof
granted.

Communication of the City Marshal Night Carts.
inclosing rules for night carts and night men. Read and
thereupon ordered, that said rules be adopted.

144.

Application of William Barry, in

Barry behalf of the friends of the National and State Administration
Permit. Applications for the use of Faneuil Hall on the evening preceding
Caucus. The election of Representatives. Near and the prayer thereof
granted.

Lincoln
Petition

It appearing to this board that notice
has been given agreeably to an order passed at the meeting
of the board held on the 26th ultimo; on the petition of Henry
Lincoln and others, praying that the common sewer in Portland
street which was begun the last year may be completed.

Beesford

Also notice to all persons interested to appear and object
to the taking up and relaying the common sewer in
Beesford street, and no person appearing to object in either
case. It is thereupon ordered, that both said common
sewers be made and repaired and the expense thereof to be
paid upon those who shall be benefitted thereby according
to law; and that they be referred to the Mayor to see
them executed.

Drains

Permits to enter

Ordered, that hereafter permits for
entering particular drains into common sewers required by the
sixth section of the ordinance relative to drains & common
sewers to be obtained from this board be issued in its behalf
and under its authority by the auditor of accounts.

Trees on the

street in front

Whereas information has been given to
the board, that so evil disposed persons have recently, in
the night time wilfully and wantonly broken down & thrown

damaged several elm trees growing upon the neck, thereupon M.S.
ordered, that a reward of fifty dollars, be offered, for the
detection and prosecution to conviction of any person or
persons concerned in those acts of violence.

The following was received by the Weller
Mayor, for John Weller, Esq. Genl. Warren's
Portrait

Boston April 23^d 1827.

Hon. Josiah Quincy, Mayor of the City of Boston.

Sir, My brother Arnold Weller, deposited a picture of Genl.
Joseph Warren, whose life was an early sacrifice for the
rights of his Country: This it was his pleasure, formerly
to place at the public disposal on frequent occasions.
His family have the impression that they can in no way
carry into effect what was his wish, herein, nor more
desirably conduce to the gratification of the Community than
by presenting this picture (which is esteemed an excellent
likeness) to the City. Will you be pleased to make this
known in the manner you may consider most proper and
respectful: and believe me with much consideration.

Yours &c. John Weller.

Read and thereupon ordered, that the thanks of the
City Council be presented to the Hon John Weller, for his
very able & kind destination of the picture of the late General
Joseph Warren, which was the property of the late Arnold
Weller, Esquire, that the Mayor be requested to address a letter to
that Gentleman expressing of the high sense entertained by the City
Council of this interesting donation. Sent down for con: Came up concurred.

Boston Mill

Capt.

Bridges over

Canal

Aldermen who were authorized to enquire into the rights of the City, to require draw-bridges to be built over the Canal by the Boston Mill Corporation, and in case in their opinion the Proprietors are not bound to build draw-bridges to report what measures ought to be taken on the subject, respectfully report, That by the indenture made between the Inhabitants of Boston and the said Corporation dated the 24th of July, 1807, it is agreed by said Corporation, that "all necessary bridges over such Canals as may be reserved, shall be at the expense of the Proprietors of said Corporation" and afterwards by the indenture made the 20th of July, 1808, it is provided that the agreements contained therein shall "not be construed in any way to discharge, annul, or impair the covenants and obligations of the Proprietors of said Corporation to make all necessary bridges over the Canal, reserved according to the true intent and meaning of the Indenture of the 24th of July, 1807, that these are all the covenants made by the said Corporation on the subject, which they can find; and your committee are of opinion that they are not sufficient to authorize the City to require that the necessary bridges should be drawn.

The measures your committee recommend, therefore, are that the Corporation be notified forthwith to proceed and build the bridges over the Canal at Market and Traverse streets, according to their contract, of the same height with the bridges at Charles town street, and of the same width of the streets, and that Enoch Patterson Esq. be directed to take a general superintendence of their proceedings, and to report from time to time to the board of

Aldermen, in case of any deficiency of plan, workmanship or M^{ts}. materials in the bridges, the said Proprietors may undertake to construct. By order of the Committee. Simah Quincy, Chairman.

Read and accepted, and thereupon ordered, that notice to the above effect be given to the Clerk of said Corporation and to Mr. Patterson by delivering to each an attested copy of the above report and of this order.

118.

Boston March 30. 1864

V F Mc Cleay

Dear Sir

In a file of Newspapers of 1827 I find
the following

May 1st " In Board of Mayor & Aldermen,
" Ordered that the City Clerk, issue licenses
" for the pasturing of Cows on the Common
" commencing May 20th,"

This was agreeable to an Ordinance passed Dec 18. 1826
which required the owner of every cow pastured on
the Common to obtain a license from the City Clerk
and to pay therefor the sum of five dollars. The owners
of cows were required to place upon the neck of each
cow running at large "a tally with the owners name thereon."

I find nothing further on that date in relation to the
other marginal references on the Blank Sheet of your
Records - year 1827 - page 148,

Yours Truly
E H Parag







Monday May 1st 1827.

149.

Met according to adjournment.

Present. The whole board, except Aldermen Bellows & Alger.

Ordered; that Aldermen Welsh, Bordman, Boies and Wales, be a committee to consider & report upon Merchants Row the claim of William Bordman, for damage, in consequence of taking his land to widen Merchants Row.

Petition of Edward Burbeck, and Burbeck's others, for damage to their estates on Hull street, in consequence of the Surveyors of highways digging down said street. Read and committed to Aldermen Fennelly and Savage to consider and report. Hull street.

Order of the Common Council, Council Hall requesting the Mayor as soon as may be, to have the ground addition intended to be covered by the proposed building at the west end of Council Hall, marked out, by causing a temporary fence to be erected round the same. Came up for concurrence. Read and concurred.

Order of the Common Council directed Treasurer to ing, the Treasurer to borrow a sum of money not exceeding one hundred and twenty thousand dollars, in anticipation of the tax of the financial year, commencing May 1st 1827, reimbursable at such times, within the said year, and on such terms and conditions as the committee of finance may approve. Came up for concurrence. Read and concurred. borrow money.

Petition of Thomas Holland, stating
Holland ing that he is the owner of certain land and flats on Front
Front & street and Harvard street, and on the dock and flats belonging
Harvard streets to David Ellis, and on low water mark, and praying, that
 the line of said Harvard street may be fixed by the City government, and laid down on the plan of streets, and that the elevation of said street may be defined, as he wishes to build on his said land. Read and committed to Aldermen Bellows and Alger to consider and report.

Shayer
Front street *Petition of Richard Shayer, that*
 he may have his lease renewed, of a piece of land on Front street. Read and committed to Aldermen Bellows and Alger to consider and report.

Tolman
Eliot street *Petition of Thomas Tolman, stating,*
 that it is his intention to build a dwelling house upon a lot of land, lying on the south side of Eliot street, and next adjoining the westerly side of a lot of land owned by the City, and praying, that he may have liberty so to build and maintain his wall upon the boundary line, so that one half of the thickness thereof may be built on the land of the City. And also that he may be permitted to cut down a tree, on or near the line. Read and committed to Aldermen Bellows and Alger to consider and report.

Faneuil Hall
 Ordered, that the edge stone opposite the Engine house, near Faneuil Hall be set back.

Petition of John Welch, praying 151.

liberty to open the street opposite to No. 4 Leverett place, Welch for the purpose of taking water by suction. Read and Leverett place committed to Aldermen Boies and Waters, to consider and report.

Petition of Jeremiah P. Smith and Seth Thaxter, praying, that their accounts against the City, may be allowed, for work said to be done by them on the Court house and Jail, in the years 1824 & 1825. Read and committed in Common Council to Messrs. Waters, Lodge and Williams, with such as the board of Aldermen might join, to consider and report. Came up for concurrence: Read and concurred, and Aldermen Loring and Boies are joined.

Petitions of Charles Ayer, Truman Kullbert and Nancy Edwards, praying, that a further allowance may be made them than has been allowed by the Surveyors of Highways, for damage in consequence of taking their land to widen Dorne, Temple and Salem streets. Read and committed in Common Council to Messrs. Gay, Loring and Simonds, with such as the board of Aldermen might join, to consider and report. Came up for concurrence.

Read and nonconcurred.

The committee on the petition of Emmi Cutler, praying, that the elevation of the lower end of Portland street may be determined, reported, that they have caused a survey to be made by S. P. Fuller - who returned

152 The levels of Portland street will correspond to the levels of the streets in that vicinity, as fixed by the Surveyors of highways on the nineteenth day of February, last; if the edge stones on Portland street, at the intersection of the westerly line of Travance street be placed ten inches below the top of the hammer stone foundation of Ebenezer Smith's brick building, at the corner of Portland and Market streets on the westerly side of Market street, and westerly side of Portland street, and from thence to rise in the ratio of six inches per hundred feet, for the distance of one hundred feet towards Causeway street, thence level fifty feet, thence fall in the ratio of six inches per hundred feet to Causeway street. The side walks to correspond in width, and rise with those fixed by the Surveyors of highways on the 19th of February last.

Read and accepted, and ordered accordingly.

Slack. Upon the petition of Ruggles Slack,
Ward room Ordered, that the Mayor be authorized to renew the lease
N^o 12. of the Ward room, in Ward N^o 12, to said Slack, John D. Dyer, and David Patton, for the term of one year, on the same conditions, as they had it the last year, for the purpose of public worship on Sundays, and for Sunday schools, and one evening in each week for their singers.

Fires Petition of Samuel News, praying,
Washington st. that the common sewer in Washington street, between the late Brainerd house estate and School street, may be laid and the expense thereof apportioned according to law upon those who shall

be benefitted thereby. Read and thereupon ordered, that all 153.
persons interested be notified to appear before this board on mon-
day next, half past seven o'clock P. M., and show cause
if any they have why said sewer should not be laid as
provid for, and the expense thereof assessed upon those who
shall be benefitted thereby, according to law.

Petition of the Steam Navigation Steam Navigation
Company, and the order of the Legislature thereon. Read & Co.
committed to the committee on the subject of a former
petition from the same company, to consider and report.
Sent down for concurrence. Came up concurred.

The board proceeded by ballot, to the Superintendent
election of a Superintendent of burying grounds and Cemeteries, burying grounds
and the votes being taken, it appeared that Samuel Hill. Cemeteries.
Mewes was chosen. Sent down for concurrence.
Came up concurred.

Ordered, that the following persons Surveyors of
be and hereby are appointed Surveyors of boards and other Timber
lumber for the year ensuing 1854:
William Ames; Thomas Barry, Henry Blake;
Warren Bowker; Nathaniel Bradlee, Thomas Chisty,
William Selouston; Noah Doggett, Moses Eager,
Samuel Ellison, William Green, Noah Haskell;
Nolum Hartshorn, Eleazer Homer, John Howe,
Paco Loring, Oliver Mills, William Mills

154. Eliakim Richards, Amasa G. Smith, Richard Thayer,
Seth Thaxter, Samuel Waldron, & Aaron Wallis.

Fence viewers Also, that the following persons be and
hereby are appointed fence viewers. *viz:*
Nathaniel Bradlee, Romanus Emerson, Abel Merwins,
Rolun Hartshorn and John Howe.

Cullers of dry fish Also, that the following persons be and
hereby are appointed cullers of dry fish *viz:*
Benjamin Clark, Nathaniel Howe, Benjamin Luckis, &
Charles L. Pook. —

Cullers of hoops &
staves. Also, that the following persons be and
hereby are appointed cullers of hoops and staves, *viz:*
James Brown, Benjamin Clark, Nathaniel Howe,
Benjamin Owen and Charles L. Pook.

Inspectors of lime. Also, that Michael Homer, Francis James,
and Samuel Shague, be and hereby are appointed inspectors
of lime. —

Spay masters Also, that John Wells and Lewis A.
Linnat, be and hereby are appointed spay masters.

Surveyors of
land Also, that Samuel Emerson & Benjamin
Rich, be and hereby are appointed surveyors of land.

Hogreeves &c. Also, that James Ellenwood, William Andrews,
Bement Ford, and Noah James, be and hereby are appointed
hogreeves, haywards and field drivers.

Hound keepers Also, that Samuel Phillips & William Audicus
be and hereby are appointed hound keepers. Sent down for
concurrence. Came up concurred, in all but Noah James, has
to him nonconcurred.

3) The committee of the City Com 155.

cil to whom was referred the petition of Michael Donnelly, Donnelly,
for relief from loss sustained by building a dyke upon the Dyke
flats belonging to, and lying at the south part of the City,
have attended to the duty assigned them and respectfully
report, that by sundry documents placed in the hands of
their committee, it appears, that Michael Donnelly, a laborer
of Roxbury, entered into an agreement with a committee of
the board of Aldermen duly appointed and authorized for
that purpose, to build a dyke across the flats belonging to the
City, on the northerly side of the neck; the same to begin
at a point near Waterman's mills, so called, and to proceed in
a direct line towards Fayette street, until it met the flats
of certain individuals in the vicinity of said street. By an
other agreement subsequently entered into by the same parties,
it was provided, that the City should not be liable by the
first agreement, for a sum exceeding one thousand dollars.
It also appears by the concurring testimony of one of the
committee who had the immediate oversight of the work,
and other persons interested therein, that the said Donnelly
commenced building the dyke, and continued to work on
the same, with great diligence and success, until he became
embarrassed by a flood of tide water let in upon him through
the gates of the Mill dam; that in consequence of this em-
barrassment, he had several interviews with the Chairman
of the committee appointed to superintend the work, who alone
took any part in the superintendence and direction of it, to
whom he stated the difficulties he had to encounter, and the

156. utter impossibility of doing the work within the terms of the
Donnelly contract, that the chairman of the committee, encouraged him
Dike to go on with it, and held out encouragement that the
City Council would not suffer him to be a loser;
for work done in the City, provided he persevered and used
his best exertions in the execution of it. He accordingly ap-
plied himself with great zeal to finish the undertaking,
had nearly overcome the obstacles placed in his way, when
at last he was put to the work by an order of the committee.
On making up his accounts, he found that he had expended
in labour and materials, five hundred and fifty seven dollars,
more than the whole amount appropriated by the City, without
making any charge for his own personal labour; to be relieved
from this loss is the object of this petition. On a careful re-
view of the whole subject your committee are of opinion, that
the petitioner has no legal claim whatever on the City; by the
terms of his contract, the City was not to be liable in any
event for more than one thousand dollars, this he well un-
derstood, and this stipulated sum he had received; it was
therefore his duty, to have provided for any further payments,
by a new agreement before he proceeded further with the under-
taking. But, inasmuch as he was permitted by the committee
to go on with work, and as it is admitted that it was very
faithfully done, your committee deem it not unequitable, that
an allowance should be made, but not to the extent he has
required; as faults have been committed on both sides it seems
not reasonable that each party should bear its proportion of any
loss that has accrued in consequence. It is therefore proposed

to allow the petitioner, one half of the sum he has expended 15%
for labour and materials beyond what was provided for in the
contract, which amounts to two hundred and seventy eight dol-
lars, and for his own labour the sum of seventy two dollars,
making a total of three hundred and fifty dollars with this
vice the committee recommend to the City Council to pass the
subjoined order.

John F. Loring, Chairman,

Ordered, that there be allowed and paid to
Michael Donnelly, the sum of three hundred and fifty dollars,
in full satisfaction for all demands against the City of Boston,
and that the said amount be charged to the appropriation for
incidental expenses and miscellaneous claims. Read & accepted,
and the order passed. Sent down for concurrence.

Learned up concurred.

The committee of both branches of the Engine
City Council on the petition of Engine company N^o 4 relative N^o 4.
to their engine house respectfully report, that the said
engine house is inconveniently small, and in a condition
to require repairs, and that the whole building is in such
a state, as that it is reasonable a new one should be
supplied to the company. This your committee refrain
from recommending, only from the consideration of the great
expenditures already incurred and authorized, the present
year, which renders it proper, in their opinion, to postpone
until another year, the erecting a building for the accom-
modation of this company. Considering the leaky state of
the house, as well as the exceeding narrowness & general

158. incommodity of it, your committee have turned their attention to temporary accommodation of this company. They find that the City are in possession of a small tenement, on Ann street lately purchased of William Welch; and which considering all the circumstances, it is not likely that the City will deem it for its interests to remove, in order for the sale of the land the present year. Your committee therefore recommend, that the said Engine company, No 4 be permitted to take possession of said tenement, until the farther order of the City Council, and that such small repairs should be made, as will accommodate the said company for the present year, and until a permanent building shall be provided for them. Which is submitted by order of the committee. Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the committee on the fire department be authorized to see the subject matter of said report carried into effect.

Sent down for concurrence.

Same up concurred.

Whitney,

The committee of the City Council to whom was referred the petition of Amathan Whitney, Esq. praying the permission of the City government to place the centre of certain walls, he proposes to erect on the division line of his land, and that of the City, respectfully report, that it is inexpedient to grant the prayer of the said petition, your committee being of opinion, that the said Whitney has no right to erect the walls

he proposes or any building whatsoever, on the land or flat, 159.
without the ancient established circular line on the Cove.
Your Committee also recommend; that the Mayor and
Aldermen take measures forthwith to prohibit the farther
proceedings of said Whitney in that respect, and in case
he persevere, that they then proceed by due course of law to
vindicate the rights of the City. By order of the com-
mittee.

Asiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Resolved, that the whole board with New street
meet at the head of Long wharf, on Wednesday next, 12 o'clock M. for the purpose of considering the necessity or
expediency of laying out a street from State to Chatham
streets, and that all persons interested be notified, then and
there to appear, and object to the same, if they see
cause?

Adjourned to Wednesday next, 12 o'clock M.
to meet in State street, near the head of Long wharf.

Wednesday May 9th 1827.

Met according to adjournment.

Present - The whole board, except Aldermen Welch, Alger and
Savage.

Order of the Common Council ap- Treasurer's
pointing Messrs Williams, Samuel Thaxter, and Brinley, with accounts.

McC. with such as the board of Aldermen might join, a committee, to examine the accounts of William Mackay, Esq. Treasurer of the City of Boston and County of Suffolk. Came up for concurrence. Read and concurred, and Aldermen Bollen and Loing are joined.

New street
State to Chatham
streets.

The board proceeded to view the land & buildings between State and Chatham streets, for the purpose of considering the necessity or expediency of laying out a new street near the head of Long wharf, to Chatham street, agreeably to the prayer of the petition of Simon H. Hewins, Father, and the order thereon, passed at the last meeting. Whereupon Resolved, that the safety and convenience of the inhabitants require, that a new street should be laid out, and the same is laid out accordingly. VIZ: Beginning at a point on the westerly side of the brick store N. A. Long wharf, at the intersection of the northerly line of State street; thence running northerly, bounded easterly by the westerly side of said store forty eight feet, seven inches, to the northwesterly corner thereof; thence making a small angle westerly and running forty eight feet, three inches to Chatham street, to a point distant forty one feet westerly from the centre of the brick wall on the easterly line of land belonging to Simon H. Hewins & Co. thence running westerly, on Chatham street, thirty two feet, seven inches to land of His Honor Thomas L. Winthrop; thence southerly by said Winthrop's land, thirty two feet, eleven inches to a street or passage way; thence continuing southerly twenty four feet ten inches across said street or passage way to the

northeasterly corner of a brick store belonging to said Winthrop, M^t.
thence continuing southerly again by the easterly side of said
Winthrop's store forty one feet three inches to State street; thence
running easterly on State street, thirty two feet, four inches to
the place of beginning; according to a plan of the same taken
by S. P. Fuller, dated May 9. 1827. —

Adjourned to Monday next, half past seven o'clock,
P. M.,

Special meeting.

Friday May 11th 1827.

Present The whole board, except Aldermen Bellows and
Alger.

The board proceeded to examine the Representatives
returns from the several wards, given in on the 10th instant, Chosen.
for thirty Representatives to represent the City, in the next
General Court, that being the number agreed upon by the City
Council, and they found that the following gentlemen had
a majority of votes and were chosen viz: Nathan Hepleton,
Samuel Austin, junior, John B. Davis, Francis Jackson;
Thomas Kendall, James C. Merrill, Samuel Perkins and
James Savage. The return was made out and signed
according to law.

Ordered, that the City Clerk issue notices to
the several Gentlemen elected, to be delivered by a constable,
according to law.

The whole number not being elected, whereupon Warrants for new
order, that the City Clerk issue warrants, for meetings to be Chosen

162. held in the several wards on Thursday next, eleven o'clock
A. M. to elect twenty two more Representatives, to complete
the number agreed upon by the City Council. The poll to
be kept open until, three o'clock, P. M.

Orator 44

July.

William Powell Mason, Esq. was nomi-
nated, and appointed, the orator to pronounce the oration on
the real anniversary of Independence. And the Mayor was
requested to notify him thereof.

Downer and

Baldwin-Merchants Baldwin, and others, owners of estates on Merchants Row, &
New State Street, praying, to be allowed to box across State Street,
from the passage way near the estate of John Parker, &c.
for the purpose of protecting their cellars from tide water.
Thereupon ordered, that public notice be issued to all persons
interested to appear before this board on Monday evening next,
half past seven o'clock, and object to that same if they
see cause.

Welch

Lowell Place

The committee on the petition of John
Welch, praying permission to open the street opposite N^o 4
Lowell Place, for the purpose of getting water by suction,
reported, that the prayer of the petition be granted. Read and
accepted, and thereupon ordered, that the work be done under
the direction of the Mayor.

Freeman

Ward N^o 7.

W. P. Fairbanks was nominated & appointed
a member of the company of firemen for Ward N^o 7.

Petitions of Thomas Rand and Mc3.

Joseph Holbrook and Company, to hire the old engine house Rand, Holbrook & Co.
No 4 on the draw bridge, near street. Read & committed Engine house No 4.
to the committee on the fire department, to consider & report.

Ordered, that the committee on Hay scales.
the Common and Malls, consider and report upon the ex-
pediency of removing the Hay scales, to the other side of
Sail Street.

John Stimpson was nominated and Auctioneer
appointed an Auctioneer? —

Adjourned to Monday, next, half past seven o'clock.
P.M. —

Monday May 11th 1827.

Met according to adjournment.

Present — The whole board except Alderman Alger.

The auditor of accounts exhibited Auditor of acc^{ts}
his annual report of the receipts and expenditures of the City Annual report.
for the financial year, which commenced on the first day of
May 1826, and closed on the thirtieth day of April 1827.
Read, and thereupon ordered, that the auditor of accounts
be and he is hereby directed, to cause six thousand five hun-
dred copies of said report, and the estimates for the current year,
together with a particular statement of all City property to
be printed and distributed, for the information of the

1864. Inhabitants. — Put down for concurrence.
Came up concurred.

Auditor of
accounts.

The board proceeded to elect by ballot on its part an Auditor of accounts, and the votes being taken, it appeared that William Hayden, Jr., was unanimously chosen in concurrence with the Common Council.

Director of the
House of Industry
chosen.

The board proceeded to elect by ballot on its part, nine directors of the house of industry, and the votes being taken, it appeared that the following gentlemen were unanimously chosen, in concurrence with the Common Council viz^t: Richards Child, Benjamin W. French, Biddings Briggs, Henry D. Gray, Benjamin Willis, Joseph S. Hastings, Jeremiah Fitch, Moses Grant and Joshua Blake. —

City Marshal.

(Benjamin Pollard, Esq. was nominated City Marshal, Tythingman and Constable.

Clerk of F. H.

Market appointed Caleb Hayward, was nominated and appointed Clerk of Faneuil Hall market.

Salaries of Judges
Municipal Court
&c.

An order establishing the salaries of the Judges of the Municipal Court, the Justices, Assistant Clerk of the Police Court, & the Superintendent of streets. Read and passed in concurrence with the Common Council. —

Caleb Loring, Junior, was nominated 165.

and appointed sweeper of boats & lighters.

Wheeler boats &c.

Samuel Reals and James Hendley, Sealers of weights &c.
were nominated and appointed sealers of weights & measures.

James Wilson was nominated and
appointed a common cryer ~~and~~ for the City.

Petition of Samuel Hastings, to be, Hastings
remunerated for land taken to widen Washington, Essex and, Washington, Essex
Front streets, and damage in consequence thereof. Read, and, Front streets.
committed to Aldermen Bellows and Boies, to consider and
report.

Petition of Nudd & Moore, pray Nudd & Moore,
ing, that the line of Pond street may be drawn. Read, Pond street
and committed to Aldermen Tinnelly and Savage, with
authority to employ Mr. Fuller the Surveyor to define the
lines of Pond & Charlestown streets.

Ordered, that the Mayor, Alder, Whitney
men Welsh and Savage, be a committee upon the subject of, Mill Creek.
Jonathan Whitney's incroachment upon the rights of the
City near the mouth of the Mill Creek.

The Superintendent of streets laid, Paving
before the board an estimate of paving, that it is necessary to
be done in the several streets the current year. Read and

W.C. Thereupon ordered, that the superintendent of streets, proceed at his discretion in executing the same under the direction of the committees of the several districts.

Flambock

Essex st.

The committee on the petition of John G. Flambock, praying liberty to dig a well in Essex street, reported, that it is inexpedient to grant the prayer of said petition. Read and accepted.

Smith

Friend Market
Merrimac streets.

On the petition of Ebenezer Smith, praying, to erect a cistern under the side walk in front of a block of buildings which he has erected on Friend Market Merrimac streets. Ordered, that the petitioner have leave to construct the same under the direction of the Superintendent of streets, said Smith to indemnify the City from all damage by reason of the same, and to remove the same whenever it shall be required of him.

Leverett Mind

streets.

Ordered, that the subject of an alleged encroachment on Leverett and Mind streets be committed to the Mayor with authority to take such measures in the premises as he may deem proper.

Tolman

Common st.

The committee on the petition of Henry Tolman, praying liberty to erect one half of a wall which he is about building near the old Franklin School house on Common street, report, that it will be for the interest of the City to permit the petitioner to erect one half of a

brick walls being one foot thick upon the City's land. 167.
in Common street, and also one half of the stone foundation
wall with a double face under the same, upon the condition
that the City or whoever may hereafter become the owner of
the lot of land adjoining that of Henry Tolman, shall have
the right at any time hereafter of building into or against the
said partition wall, the party so building yielding & paying
to the said Tolman, his successors or assigns one half the
cost of so much of the wall as may be used and built
into, and payment to be made at the time that the said
wall shall be thus used without interest. Bellows, Comd.

Read and accepted.

The committee on the petition of Williams
Thomas Williams, praying to be remunerated for land, & wider Washington st.
Washington street, reported, that the City pay one dollar, &
ten cents per foot, but that part which constitutes a passage
way into said Williams land ought not to be paid for.

Read and accepted.

Notice having been given on the peti. Downer, Baldwin
tion of Downer, Baldwin, and others, praying liberty to lay across State street
State street, for the purpose of keeping out the tide water from
their cellars, agreeable to the order passed at the last meeting
and Samuel Emmons, and others, owners and occupiers of stores
on State street appeared and filed a remonstrance against the same.
Read and thereupon ordered, that Aldermen Bellows, Welsh & Boies
be a committee to examine the premises and report.

168

It appearing to the board, that

notice has been given, agreeably to the order passed at a former meeting, on the petition of Samuel Howes, for liberty to construct a common sewer in Washington street. And now no person appearing to object, thereupon ordered, that said common sewer be constructed under the direction of the Mayor, and the expense thereof apportioned according to law.

Hallett
concerning
Allen

Petition of George Hallett, stating

that James Allen, of this City, Gentleman, does by excessive drink & idleness so waste his estate as thereby to be in danger of subjecting himself to want and suffering circumstances, & the City to a charge for his support and maintenance, whereupon he prays, that a complaint may be made to the Judge of Probate, in order that a Guardian ~~may~~ be appointed according to law. Read and after examining witnesses, the board are of opinion, that the allegations made in said petition are substantiated, and thereupon ordered, that complaint be made to the Judge of Probate accordingly.

Wracon
street

Resolved, that the whole board do

meet in Wracon street in front of the Malt house, on Wednesday morning next at eight o'clock, for the purpose of considering the ~~extension~~ subject of widening said street, by running a line even with the State House wall, westerly to the land on which the Hancock's mansion house stands.

Adjourned to that

time and place accordingly.

Wednesday May 16th 1827.

169.

Met according to adjournment.

Present. The whole board except Aldermen Serinelly & Alger.

The board viewed the land near Beacon the southwest corner of the State House yard, for the street. purpose of considering the expediency or necessity of widening Beacon street.

Adjourned to Monday next, seven o'clock, P.M.

Special meeting.

Thursday May 17. 1827.

Present. The Mayor. Aldermen Bellows, Welch, Loring & Savage.

The brig Thomas & William, belonging to Brig Francis the town of Warren, in the State of Maine, arrived on Tuesday William at evening, last, at our quarantine from Limerick in Ireland, bound to Quarantine New York, being considered, it was ordered, that the Resident Physician, with the aid of the City Marshal, take immediate measures for supplying three able seamen to manuate the said vessel to New York, in lieu of the Captain, mate and one seaman, furnishing potatoes and other requisite provisions, at their discretion and that the bill of expenses against the owners be forwarded to the City authorities of New York requiring their aid in obtaining their reimbursement, to this City.

The meeting was then dissolved.

3

170. Special meeting.

Friday May 18. 1827.

Present. The Mayor, Aldermen Bellows, Welshe, Loring, Fennelly and Boies.

Representatives

The board proceeded to examine the returns from the several wards, of the votes given in on the 1st instant, for twenty two Representatives, to represent the City, in the next General Court, to make up the number thirty, agreed upon by the City Council, and they found no one had a majority of votes. And it being the opinion of the board, that it is too late to have another meeting no further proceedings were had.

Town Council
Hall

Order of the Common Council appointing Mess^{rs} Wright, Lodge, Ward, Eveleth and Samuel Thaxter, with such as the board of Aldermen might join, a committee to consider what disposition ought to be made of the lower floor and cellar of Town Council Hall, in order that the same may produce an income to the City. Came up for concurrence. Read Concurred and Aldermen Bellows, Loring and Boies are joined.

Assistant

Order of the Common Council appointing

Speaker

Daniel Stafford an assistant speaker for ward N^o 8, in place of Henry Yappett who declines serving. Came up for concurrence.

Read and concurred.

Willard

Ordered, that the Mayor be authorized to engage

Dock square

Council to prosecute Willard on account of incumbering the side walk Dock square.

22
The committee appointed on the 17th.

Petition of Downer, Baldwin and others, to make a boxing Downer, Baldwin across State street. Report, that it is reasonable and proper that State street they be permitted to make the said boxing across State street at or near John Parker's store; but upon the express condition, that in joining the proposed boxing with those formerly made in said street, that they shall do no injury thereto; and that the said Petitioners shall be held answerable for any and all damages that may accrue to any individual by any of their acts, and that they give bonds accordingly, before breaking ground. For order. Bellows. Read & accepted.

Application of the Ancient & Honorable Ancient & Artillery company for the use of Faneuil Hall; on the first Mon. Oct. Co Monday of June next, for the purpose of celebrating their anniversary, in ancient form. Read and the Mayor thereof granted.

Adjourned to Monday next, seven o'clock, P. M.

Monday May 21st 1827.

Met according to adjournment.

Present. The Mayor - Aldermen Welsh, Fennelly, Boies, Wales, and Savage.

Communications from Luther Ellis, Herwins Ellis, Herwins and Fisher and John Parker, relative to boxing across State street to keep out the tide water. Read & committed to Aldermen Bellows, Welsh, Boies, to consider and report.

172.

Adams

Petition of L. B. Adams, praying,

that the lower story of the Boylston school may be fitted up for a primary school, ~~may be fitted~~ and that the Sunday School may be removed to said lower room, and that said room may in future be used as a ward room. Read and committed to Aldermen Boies & Wales, to consider and report.

Holbrook

Petition of Daniel Holbrook, and

Wills street.

others, to leave to dig a well in Wills street, for the purpose of taking water by suction, to their respective houses. Read & committed to Aldermen Boies & Wales, to consider & report.

Warren

Petition of John C. Warren, and others,

praying, that this board would refuse in future to grant special licenses for the sale of ardent spirits on the Common on election days, the fourth day of July, and all other similar occasions. Read and committed to the Mayor, Aldermen Welsh & Savage to consider and report.

City Theatre

Petition of the Proprietors of the City

Theatre Washington Gardens, praying, that the terms of their license may be modified, and the amount paid for the same reduced. Read and committed to Aldermen Bellows, Welsh and Savage, to consider and report.

Gardiner

Petition of William Gardiner, & others,

Castle street, praying, that a common sewer may be laid in Castle street. Read and thereupon ordered, that all persons interested be notified

to appear before this board on Monday next, seven o'clock P.M. 173.
and show cause, if any they have, why the prayer of said
petition should not be granted, and the expense thereof assessed
according to law.

Petition of Elishalet Williams and Jese City Bank
Fulham, in behalf of the City Bank, and Manufacturers insurance Manufacturers Ins.
company, praying, that the common sewer may be extended up Co.
State street, in order that they may be enabled to drain the
cellars of their buildings, which they are erecting between the
State bank and Hilby street, Read and thereupon ordered,
that all persons interested be notified to appear before this
board, on Monday next, seven o'clock P.M. and show
cause, if any they have, why the prayer of said petition
should not be granted, and the expense thereof assessed ac-
cording to law.

Communication from Dr Smith, Resident Dr Smith
Physician at Hospital Island, stating, that Nathaniel Colly, of Res. Phy-
longing to Thomaston, Maine, died last evening of small pox; he ^{concerning} small pox
was a seaman on board the brig Thomas & William, Thomas Colly
master, from Ireland bound to New York, with seventy passengers,
she put into Thomaston, and arrived at quarantine the 15th
inst, and landed her passengers on Rainford Island, and the sick
placed in the Hospital; all who were subject to the small pox
were vaccinated; one man died of small pox, before her arrival here;
three men who came in said vessel remain on the Island sick
with the small pox. The vessel has been cleansed, and sailed for

N^o. 14. New York, with the remainder of the crew and passengers, except Mr. John G. Gleason, of Thomaston who came up in sand-
vessel from that place, and was landed on Long Island, in
this harbour, before the Physician boarded the vessel, Mr. Gleason
sickened with the modified small pox, at his lodging in this
City, this afternoon and was immediately removed to the Island,
at his own request, where he now remains.

Fitch
declines

A Letter was received from Jeremiah Fitch
Esq. declining to accept the office of a director of the house of
Industry. Read and sent down.

Dir. H. of
Industry

The board proceeded by ballot to elect
on its part a director of the House of Industry in place of
Jeremiah Fitch Esq. who declines as above, and the votes
being taken, it appeared that Moses Wheeler, Esq. was unan-
imously chosen.

Sent down for concurrence.

Came up concurred.

Ordinances.

The committee of the City Council charged
with superintending the printing the ordinances of the City, in
obedience to the request contained in the order of the City
Council of the seventh instant, reported, that they have con-
tracted with Mess^{rs} True & Greene, for the printing two hundred
and fifty copies of the ordinances, that the work is commenced
and will be published as soon as the press work can be
executed. Read and accepted. Sent down for concurrence.

Came up concurred.

The committee appointed by the City N/5.

Council to examine and audit the accounts of the City and County Treasurer, have attended to that duty, and find they accounts are correctly stated, and properly vouched, and that there has been received on account of the City, six hundred and five thousand, and thirteen dollars, and twelve cents; and that there has been paid on the same account five hundred and forty nine thousand, five hundred and two dollars, and seven cents, leaving a balance in favor of the City of fifty five thousand, five hundred and eleven dollars, and five cents. That there has been received on account of the County, twenty four thousand, one hundred, sixty six dollars, and forty five cents, and that there has been paid on the same account, forty four thousand, & thirty seven dollars, and forty eight cents, leaving a balance against the County of nineteen thousand, eight hundred & seventy one dollars, & three cents; leaving a final balance in the Treasury on the thirtieth day of April, last, of thirty five thousand, six hundred, & forty dollars, and two cents, of which was deposited in the City Bank, to the order of William Mackay, City Treasurer, thirty four thousand, sixty six dollars, & sixty two cents, and in the hands of the Treasurer, fifteen hundred, seventy three dollars, and forty cents.

John Bellows

John F. Loring

Eliot Williams

George Brinley

Committee

The foregoing report read and accepted.

Sent down for concurrence

Lucas up concurred.

N^o 6.
Badger

Petition of Daniel B. Badger, &

others, praying, that a landing place, may be built at the slip near Rowe's wharf, if the Engine house shall be removed from the passage way, leading to the same. Read and committed to Aldermen Boies and Wales, with such as the Common Council may join, to consider and report. Sent down for concurrence; Came up concurred, and the Common Council, joined on its part Mess^{rs} Russell, Loring and Simonds.

Marshal Auditor

The several bonds of Benjamin Pollard, City Marshal, and William Hayden, Junior, Auditor of accounts read and approved.

Faneuil Hall

The Mayor reports, that he has caused a fence to be built around the end of Faneuil Hall, agreeable to the direction of the City Council.

Rand

Ordered, that the Mayor be authorized to lease to Thomas Rand, the old engine house on the above premises, for one year, at seventy five dollars. —

North Allen

Resolved, that the whole board will meet in North Allen street tomorrow morning eight o'clock.

Adjourned to that time and place accordingly.

The board accordingly met & viewed North Allen street, and then adjourned to Monday next, seven o'clock P. M.

Special meeting.

177.

Friday May 25th 1827.

Present. The whole board, except Aldermen Welch & Alger,

The committee of the board of Alder Warren, men to whom was referred the petition of sundry Citizens, praying sale of licenses, that in future the Mayor and Aldermen "would refuse to grant Common holidays, special licenses, for the sale of ardent spirits on the Common, on election days, the fourth of July, and all other similar occasions" having taken that subject into consideration respectfully Report, That they see, with great pleasure, the zealous and spirited exertions, which are making by many virtuous and intelligent Citizens for the prevention and restraint of that great evil, at all times too prevalent in this country, the immoderate use of ardent spirits, and that the members of this board, in their private as well as their official character will be happy to co-operate, in all practicable measures for the giving effect to these useful labors. They cannot, however, but regret that the petitioners in stating the object of their memorial, should so far have misapprehended the actual state of the subject, as that, in a paper, circulated at all polls, during the recent election, they should have charged the Mayor & Aldermen, with "the custom of granting special licenses, for the retailing of ardent spirits near to, and upon the common, on election days, and on the fourth of July, annually." When the fact is, that no such power of suspending the operation of the general laws of the Commonwealth, exists in this board, none such has ever been exercised by it, or by its predecessors, the selection of

18. The town; and no such special licenses as is here asserted, have,
Warren or would have been valid had they been granted. The rule,
that a Common such as it is, of which the petitioners complain, has been coeval,
probably, with the early settlement of our Country. Certainly it
has existed beyond the memory of any man now living in it.
The hilarity and convivial feelings which very many of the
Citizens, on the several public occasions alluded to, have been
accustomed to indulge, led originally to the pitching of tents
and raising booths in the Mall, and in the streets adjoining
the Common in this City, and in a less degree, in some other
towns of the Commonwealth, when owing to the number of
booths and tents which were erected, they were found to be
troublesome, and to impede passengers in the streets and walks.
The Selectmen caused these booths and tents to be removed to
a central part of the Common, and authorized the Constables,
who were detailed on these occasions, for the purpose of keeping
order, and to locate spaces in which they should be erected, to
receive a small compensation from the tent and booth owners,
by way of indemnity to them for the trouble & labors of the day.
This is the whole authority, which, it is apprehended the
Selectmen formerly, and the Board of Aldermen recently, have
ever exercised in this matter. The authority to erect tents
and booths gives no license to violate any law of the Com-
monwealth. The practice of selling spirituous liquors, on such
occasions, has never been considered as obnoxious to the penalties
of the statute, on that subject, if we may judge from the
fact that no public executive officer, and no grand jury,
has ever in any instance, as far as has come to the knowledge

of this committee, caused any prosecution to be instituted, in
relation to that practice. A custom so general, and so long
acquiesced in by the authorities of the State. This board ap-
prehend is to be suppressed alone by a direct appeal to the
judicial tribunals whose province it is to decide how far such
a custom is valid against the express provisions of statutes;
contemporaneous with the existence of which, in every period
of our history this custom has probably existed and been ad-
mitted. Should such appeal be found inefficacious, it is
recommended that the Legislative authority of the Common-
wealth alone has the power to decide the expediency and
apply the remedy. With these general views, your com-
mittee apprehend that no particular measures are required to
be taken by the board of Aldermen in respect to this memori-
al. They recommend however, that this report be published
to the end, that the opinion entertained by this board should
be known to our fellow citizens; and that those, who erect
tents and booths on these occasions, as well as all judicial
and executive officers, if there be any such who have had
the opinion expressed by these petitioners, that these sales
of liquors were made under special licenses of town or City
authorities may have a just view of their respective rights &
duties, and if they see fit, govern themselves accordingly.

By order of the committee. Josiah Quincy, Chairman.

The foregoing report read and accepted by a unanimous
vote, and ordered to be printed.

Ordered, that the Mayor, Alder. Reservoirs,
Bellows, Loring & Savage, be a standing committee on Reservoirs.

Order of the Common Council dated

House of Representatives, that the report of the Directors of the House of Industry, and
by the House, for the employment and reformation of juvenile of-
fenders be printed for the use of the City Council, and all
City officers.

Came up for concurrence.

Read and concurred.

Reservoir near
head of Mule.

Communication from the Chief Engineer,
of the fire department requesting that the reservoir at the
head of the Mule, near Park Street Church may be repaired.
Read and committed to the Committee on Reservoirs to con-
sider and report.

Lain

The committee on the petition of
Merriman Street, Michael Lain, to hire a piece of land on Merriman Street,
reported, that it is anxious to lease said land for two
years, at the rate of twenty five dollars a year. —

Read and accepted. Sent down for concurrence.

Came up concurred.

Taylor

Communication from Charles Taylor,
North Allen St. stating, that the order of the board, directing, that a sufficient
abutment to be erected at the head of his wharf, at the end
of North Allen street, will be immediately attended to, on his
part; but the privilege of admitting the drain he requests may
be determined on. His right to obstruct it acknowledged; but is
willing to let the City have the right for the value of one barrel com-
per annum. Read & committed to the Mayor,

Memorial from James B. Eaton, and 181.

others, poor debtors, now confined in the gaol in the County of Eaton
Suffolk, praying some amelioration in their confinement, and that poor debtors
the subject of their Act may also be considered. Read and
committed to the Committee on the gaol &c. to consider and
report.

(Ordered, that the Washington Bank Washington Wk
building which is about to be erected on Washington & Beach Street, Washington Wk
be permitted to advance on said Beach Street, not exceeding one foot, Beach Street.
and to be set back in the rear so as to make the line even on
said Street, and that said Street be laid out and altered accord-
ingly, agreeably to a plan to be furnished by S. L. Fuller, on
Monday next.

Ordered, that Aldermen Bellows & Washington Wk
Lavage to a committee to consider & report upon the subject of encroachment,
encroachments by a building on Washington Street, near the Lamb
Tavern.

Ordered, that the Mayor be au Whitney's
thorized to retain Leonard Shaw Esq. as Council in behalf of the Com
City in the controversy with Jonathan Whitman Esq. in regard
to the Mill Creek, and the Circular line.

Ordered, that both the bridges over the Bridges over
Mill Creek to connect the sheds on the Mill Pond lands, be built Mill Creek
with draws, and that Aldermen Bellows, Loring and Boies be a
committee to superintend the construction of the same.

Adjourned to Monday next, seven o'clock P. M.

182.

Monday May 28th 1827.

Met according to adjournment.

Present The whole Board, except Aldermen Hyer.

Mill Creek

Ordered, that the bridge now building over the Mill Creek, be constructed with a draw, similar to Chelsea bridge, and that the former committee be instructed to superintend the same.

Pond and

Charlestown streets. Mr. S. P. Fuller, Surveyor having returned, and laid before this board a section of Pond and Charlestown streets, near the north mill - Thereupon ordered, that Aldermen Leary, Fennelly, and Wales, be a committee to ascertain and report upon what terms the lines of Pond street at that place can be settled.

Barber

Ordered, that Aldermen Bolles, Prior & Front street be a committee to consider and report upon the subject of an alleged encroachment on Front street by Daniel Barber.

Newson

The committee on the Neck lands, to whom was referred the application of George Newson, for a lease of five acres of said lands, for the purpose of establishing a garden and nursery, having had the same under consideration ask permission to report, that in the opinion of this committee, the value of the lands on the neck will be greatly enhanced by allowing a part to be occupied for the purpose above mentioned. They therefore recommend, that the Mayor be authorized to grant to

The applicant, a lease of five acres of said lands for a term 183.
not exceeding thirteen years, on the following conditions. Wth.
The land to be used for the purpose of a garden & nursery
only; the garden &c. to be located at the corner of Washington
(Northampton) Streets; the City to have the right at any time
to sell and take possession of all or any part of the land
bordering on said streets to the depth of one hundred feet,
except so much of the same as shall be necessary for a
passage way to the garden; and in the event of the land
being so disposed of, the lessee to be compensated by an equal
quantity of land in the rear of, and adjoining the garden, or
by a proportionable deduction from the rent, at the option
of the City. The rent to be five dollars per annum, at
the expiration of the lease, the lessee to be allowed a reason-
able time to remove his trees, plants, and all other property
he may place thereon. For order. J. H. Loring.

Read and accepted. Sent down for concurrence
Leame up concurred.

The committee have had an interview Adams
view with the instructors of the Boylston School who are decided, Boylston School
ly of opinion that the introduction of the primary school into
the building will be productive of disorganization and other
inconveniences more than equivalent to such rent as is proffer-
ed. They also state that a continuance of the Sunday school
where it has been, is of no serious trouble, but a removal
will much inconvenience the present teacher. The proposed alter-
ation of the basement to accommodate ward meetings will be

184. expensive, and discommode, the instructors who use it for part
of the school exercises, and that no inconvenience is experienced
from the present use of the School room for that purpose.
Your committee therefore recommend that no alteration of the
house or any different disposition of its apartments be made.
All which is submitted. Jeremiah A. Boies, per order.
(Read and accepted.)

Dickenson
Garden Court
street. Petition of Daniel Dickenson, and
others, praying that a committee may be appointed to inspect
the situation of a house near Garden Court street, the same being
in such a delapidated state as to be dangerous to the lives &
limbs of persons passing by the same. Read and committed to
Aldermen Fennelly and Savage to consider and report.

Codman
Camera Obscura Application of William P. Codman;
for a license to exhibit the Camera Obscura on the Common
on the several holidays. Read and the prayer thereof granted
on paying therefor the sum of two dollars per day.

Badger
Report on the
house
Gutter March
st. The committee on the petition of Daniel
B. Badger and others, Reported, that they have repaired to
the premises named in the petition, heard the Petitioners and
are of opinion, the Engine house ought to be removed, forth-
with. They have also examined the City's land at the north
end of the Gun house on Fort Hill and think it a suit-
able and convenient location on which to erect a new
house, they therefore recommend, that a committee be ap-

pointed to consult with the Chief Engineer, and cause an estimate of the expense of erecting the same. Your committee are also of opinion the landing place mentioned in this petition is very much wanted, and if made, will greatly accommodate the public. They therefore advise that another committee be raised to cause an estimate of the expense of constructing a suitable landing place at the wharf & dock, adjacent to the present engine house to ~~ascertain~~ ascertain what sum can be obtained by individual subscription to effect this desirable improvement, and also to make inquiry if any encroachments are made on the flats adjoining, & to report thereon. Which is respectfully submitted.

Jeremiah S. Boies per order.

Read and accepted, and thereupon ordered, that Aldermen Boies and Wales, with such as the Common Council may join, be a committee upon the first resolution mentioned in said report. And that Aldermen Welsh and Savage, with such as the Common Council may join, be a committee on the second resolution mentioned in said report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Sears, Meriam, & Phillips to the first mentioned committee, and Messrs Dorr, Bacon and Lewis, to the second.

The committee on the petition of John Gray for allowance for his land taken to widen Sturges street, in the year 1826, reported, that they find the quantity of land taken, to be three hundred and twenty five feet, more

186. than one third of which he had thrown open as a requisite passage for his own estate; under this circumstance they report, he is entitled to one dollar and fifty cents the square foot, total amount four hundred and eighty six dollars.

Jeremiah S. Boies, per order.
(Read and accepted.)

Wright
Distil house
square. Petition of Edmund Wright, Father, praying, that the common sewer in Distil house square may be enlarged and extended through said street. Read and thereupon ordered, that all persons interested, be notified to appear on Tuesday the fifth day of June, next, seven o'clock P.M. and show cause, if any they have, why the prayer of said petition should not be granted.

Jackson
Order of the Judge of Probate of the County of Suffolk, requiring the Major J. Alderson to make inquiry on Inney Jackson, represented to be a person non compos mentis, that a Guardian may be appointed according to law. Read and thereupon ordered, that said Jackson be notified to appear before this board, on Tuesday the fifth day of June, next, at seven o'clock P.M. and object to the same, if she see cause.

City Bank
Manufacture Insurance Company. It appearing to this board, that notice has been given agreeably to the vote of the board on the 21st date sheet, instant, on the petition of the City Bank, and the Manufacture Insurance Company, praying, that the common sewer in State street may be extended from the place where they are building

near the State bank to Merchants Row. And now no person appearing, to object, it is thereupon ordered, that the prayer of said petition be granted, and referred to the Mayor to see it executed.

It appearing to this board, that Gardiner, notice has been given agreeably to the vote of the board, on Castle street, the twenty first instant, on the petition of William Gardiner, and others, praying, that a sewer may be constructed in Castle street, and the expense thereof apportioned according to law. And now no person appearing to object, it is thereupon ordered; that the prayer of said petition be granted, and referred to the Mayor to see it executed.

Adjourned to Tuesday June 5th 1827, seven o'clock P. M.

Tuesday June 5th 1827.

Met according to adjournment.

Present - The whole board except Aldermen Bellows and Alger.

Petitions of Lebadiah Hollis, Vothers, Hollis & Gale, and John Gale, and others, praying, that a time may be, as Market, signed for closing the Market house, on certain days in the week. Read and committed to the committee on the market to consider and report.

Proposition of Joseph P. Bradley, to supply Bradley, the City, with oil, the current year. Read, & committed to Ald. Kennedy, Oil, Males, to consider & report.

188.

Application of Robert Henry for
Henry a license to exhibit at Schollays buildings a marine exhibition
Shell work &c. Read and granted, paying therefor
one dollar a month.

Peabody
New Theatre

Petition of Augustus Peabody, and
others, stating, that several hundred citizens of Boston, and
vicinity have subscribed a fund, for the purpose of building a
new Theatre, on Common street, which they intend to build
in such a style, and have managed in such a manner, that
it shall be both an ornament to the City, and an improve-
ment in the moral management of those amusement that must
always be indulged in large Cities. They propose to lease the
Theatre when built for a term of years to William Pelby.

Wherefore they pray the approbation and permission of this board
to proceed to build and let said Theatre as aforesaid. Read and
committed to Aldermen Boies, Alger and Sawyer, to consider
and report.

Miles

Clarke

Petition of Samuel A. Miles, and others,
representing, that Susan Clarke, of said Boston, widow of Julius
Clarke, is in possession of property; that she has become intemperate
and incapable of taking care of herself, or her property, and is in
danger of becoming chargeable to the City for her maintenance, and
praying, that complaint be made to the Judge of Probate, that she
may have a Guardian appointed according to law. And now after a
full hearing of the petitioners, & the evidence adduced, the board are of
opinion, that the allegations set forth in said Petition are true.
It is thereupon ordered, that the same be made as prayed for.

It appearing to this board, that 189.

notice has been given, agreeably to the order passed at the last Ward meeting, on the petition of Edmund Wright, and others, for Discharge square, taking up and relaying a common sewer in Discharge house square. And now Ruth Bradshaw files a remonstrance, against the same, which was read, Mr. Adams also appeared & objected to the same, and after a full hearing of the parties, it is thereupon ordered, that said common sewer be taken up & relaid, as prayed for, and the expense thereof, apportioned according to law upon those whose estates shall be benefitted thereby, & referred to the Mayor to see it executed.

It appearing to this board, that Rice

notice has been given on the petition of Emory Rice, for leave Margaret street to take up and relay the common sewer in Margaret street. And now Samuel Stearns appears and advocates the same, & no person appearing to object thereto. It is thereupon ordered, that said common sewer be taken up and relaid, and the expense thereof apportioned according to law upon those whose estates shall be benefitted thereby.

Order of the Common Council authorizing Merchants

ing the Mayor to cause to be issued an amount of City stock, now sufficient to repay the expense incurred by the widening of Merchants Row. Came up for concurrence. The question of concurrence being taken by yeas & nays, according to the order of the City Council, the following gentlemen voted in the affirmative, viz: Yeas & nays Aldermen Welsh, Loring, Fennelly, Poies, Wares, Savage.

190. So the order passed in concurrence with the Common Council.

Resident Phy.

The board proceeded to the choice of a Resident Physician, at Hospital Island, by ballot, for the current year, and the votes being taken it appeared that Doctor Jerome V. L. Smith was unanimously chosen the number of votes being seven. Sent down for concurrence.
The Common Council concurred by a unanimous vote.

Consulting Phy.

The board proceeded by ballot to the choice of five Consulting Physicians, the current year, the votes being taken, it appeared that Doctors Thomas Welsh, John C. Warren, James Jackson, John Gorham & Benjamin Shurtleff were chosen. Sent down for concurrence.
Came up concurred.

Conventions pro.

Ordered, that a message be sent to the Common Council, proposing a convention of the City Council in the Common Council room, at five minutes before nine o'clock, for the purpose of electing a City Treasurer. A message was received from the Common Council declaring their assent to the proposition to form a convention at the time and for the purpose above expressed.

In Convention.

City Treasurer

chosen

Agreeable to apportionment, the two branches of the City Council met in Convention in the Common Council Chamber, for the purpose of electing by ballot a City Treasurer, Collector and the votes being taken, it appeared, that the whole

number of votes was forty; William Mackay, Esquire, had thirty nine, and was chosen.

The business of the convention being accomplished the two boards separated.

Petition of the President and Directors Boston Mill of the Boston Mill Corporation, praying, that a committee be appointed, with full powers and instructions to settle all matters in dispute between the City, and said Corporation. Read, and committed to Aldermen Welsh, Loring and Wales, with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Mep^r: Sprague, Williams, Gould, Lane and Morey.

Petition of Samuel Phillips, Hay Phillips weigher, praying, that the hay scales, at the south part of the City, may be erected on a new site, and that they may be so constructed as to weigh by means of the "Platform balance scales." Read and committed to the Mayor, Aldermen Loring and Wales, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Mep^r: Waters, Samuel Thaxter, Elliot and Penniman.

The joint committee of the City Council to whom was referred the petition of the Kennebeck Steam Navigation company, respectfully report. That in their

192. opinion it is the interest of the City of Boston, and the duty
Kennebec Steam of the City Council, to resist all attempts at placing an
Nav. Co. Island, wharf in any part of the harbour of Boston, until
all the consequences and effects of such erection shall have
been deliberately considered and the rights of the City in
that respect maturely weighed and carefully provided for.
They therefore recommend the following resolution for the
adoption of the City Council. By order of the Committee
Josiah Quincy, Chairman

Read and thereupon resolved, that Aldermen Welsh and Savage
with such as the Common Council may join, be a committee
to attend to the petition of the Kennebec Steam navigation
Company now pending before the Legislature, and to take such
measures for protecting the rights and interest of the City, as
they may deem expedient, and particularly to urge the expedi-
ency of granting to private individuals or any Corporation
such rights as are proposed in said petition. Sent down
for concurrence. Leame up concurred, and the Common
Council joined on its part Messrs Morey, James and
Williams.

Adjourned to Monday the eighteenth day of
June, next, at four o'clock, P.M.

Special meeting,

493.

Friday June 8th 1827.

Present. The whole board, except Aldermen Fennelly and Alger.

Communication from William Minot, Treasurer of Franklin fund, relative to loans from said fund and the bondsmen. Read and committed to Alderman Savage, to consider and report.

The report of the committee on the Boston free bridge, came up from the Common Council, accepted as amended. This board accept said report as taken into a new draft. Which new draft is in the words following viz:

Resolved, That on each side of Sea street, South of Pratt's corner, a substantial stone wall, even with the top of the street be made by said Corporation, on all the intermediate spaces between the solid projecting walls, so as to make the street in all parts, fifty feet wide; and that the whole street be filled up with gravel to the level with the former accepted part of said street, and rounded to the acceptance of the Surveyors of Highways, and be given subject to the same liabilities of side walks as is conditioned in the acceptance of the former part of said Sea street to Pratt's corner, and when the two proprietors of estates bounded on said Sea street shall release to the City their interest in the same, it shall then be accepted as a public street. —

Resolved; That the Corporation build the abutment from the southerly end of the wharf now at the Aer

194. mination of Sea street in manner already determined by the City Council not less than sixty feet in extent.

Resolved, that the abutment of said bridge at South Boston, shall commence at the point of intersection of Broadway and Timpitke streets, and extend westerly on said Timpitke street eight hundred feet, and from thence in nearly a direct line to the abutment from Sea Street.

Resolved, that the level of said bridge at the upper part of the gravel on the same shall not be less than twelve inches above the level of said Sea street.

Resolved, that the travelling part of the bridge shall be twenty six feet in width between the side walks.

Resolved, that the wharf on the easterly side of said bridge at the draw shall extend one hundred feet on the channel, with a sufficient bevel to accommodate the passing of vessels through the draw, the end posts of which shall be of oak, the others may be of hemlock, and to be placed within seven by eight feet of each other, the whole to be covered with yellow hard pine plank, not less than five inches in thickness, the top of said wharf to be two feet below the top of the travelled part of said bridge, and in consequence of the extent of said wharf the City will pay one half the expense of building the same, and when completed together with the bridge shall become the property of the City.

Resolved, that the wharf on the westerly side of the bridge be thirty feet on the bridge and one hundred feet on the channel, having the dimensions of those at Central Bridge. - Resolved, that all the posts be charred.

before they are driven to secure them from injury by rains. 195.

Sent down for concurrence.

Nonconcurrent in Common Council. —

Adjourned to Monday the eighteenth day of June instant, at 4 o'clock, P. M.

Special meeting.

Friday June 15th 1827.

Present — The Mayor — Aldermen Bellows, Welsh, Boies, Wales and Alger.

Memorial of William Pratt, Pratt

and others, owners or occupiers of stores in State street, State street.
stating, that certain persons have broken ground, in State street, contrary to the report of the committee of this board. Read and thereupon ordered, that the bond, required of the petitioners for leave to box across State street, conformable to the report of the committee on the twelfth day of May, last, shall be five thousand dollars, and the same shall be given to the proprietors of estates on each side of said street, conditioned to indemnify them from any damage, the consequence of such boxing, for three years.

Reconsidered
June 21..

On the petition of Jonathan Phillips Phillips

and others, praying, that the side walks on Chatham street, Chatham street.
should be laid eight feet wide. Ordered, that all persons interested on both sides of the said street be notified to

196. appear before this board on Monday, the eighteenth, instant, at four o'clock, in the afternoon, and show cause why the prayer of said petitioners should not be granted.

Bray

Petition of John Bray, and others.

North Bennet, Salem. That measures may be taken to widen the side walks at Silston street. at the corner of North Bennet, Salem and Silston streets, where a new Church is about to be erected. Read and committed to the Mayor, Aldermen Poole and Alger to consider and report.

Parsons

The committee to whom was referred

Lincoln St.

the application of Edmund Parsons, praying, that the height and line of Lincoln street may be determined, reported, that the same be submitted to Mr. Fuller, the Surveyor.

Read and accepted.

Peabody

The committee to whom was referred

New Theatre

the petition of Augustus Peabody, and others, praying, that for the approbation and permission of the board to proceed in erecting a new theatre. Reported, that the prayer of said petitioners be granted. Read and accepted.

Parkhurst

Isaac Parkhurst, licenced to keep an

Int. Office.

Intelligence office at No 63, Hanover street.

Adjourned to Monday the 18th day of June, instant, at 4 o'clock, P.M.

Monday June 18th 1827.

197.

Met according to adjournment.

Present— The Mayor: Aldermen Spring, Boies, Wales, Alger and Savage.

The Mayor having communicated Independence a letter from Edward D. Bangs, Esq. Secretary of the Commonwealth, proposing that the State and City authorities co-operate in observing the approaching anniversary of our National Independence in the customary manner. Thereupon Resolved, that the City government will unite with the Executive of the Commonwealth in the celebration & solemnities of that day, and for this purpose will meet His Excellency the Governor and the Honorable Council in the Senate Chamber of the State House, at eleven o'clock of that day, to proceed to the Old South Church where those solemnities are to be performed; and that the Executive of the Commonwealth be respectfully desired, to request in their name the Reverend Chaplains of the General Court to officiate on that occasion.

Ordered, that a copy of this vote be communicated by the City Clerk, to the Secretary of the Commonwealth, and that he be requested to lay the same before His Excellency the Governor.

Communication from the Secretary of the Commonwealth inclosing an order of the House of Representatives requiring statement showing the number, age & sex of all deaf and dumb persons within the City to be transmitted

Deaf & dumb persons.

198. to the Secretary's office, on or before the first Wednesday in January next. Read and committed to Aldermen Loring and Savage, to consider and report.

Phillips
Chatham St.

ON the petition of Jonathan Phillips and others owners and occupants of the block of stores, bounded on South Market Street and Chatham Street. Ordered that the side walk on the north side of Chatham Street be eight feet wide. —

Knapp ^{among}
Boston free bridge

Memorial of Birch Knapp and others, protesting against the erection of wharves by the Boston Free Bridge Corporation, in connection with the intended bridge which they consider injurious to the navigation above Wheeler's Point. Read and committed to Aldermen Welsh, Wales & Loring, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs James, Morey, Barry, Russell and Sprague.

Sheafe
city rockets

Petition of Henry Sheafe, praying to be permitted to fire rockets on the evening of the fourth of July. Read and committed to Alderman Bellows, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Howe, Lane, Gay.

Wind Street.

Communication from the City Marshal on the subject of a nuisance at the northwest end of

Third' street, being read, thereupon ordered, that the City Marshal cause all the persons whose lands are overflowed with water to be notified, that they cause the nuisance thus arising to be abated forthwith, by filling up or making a drain under the direction of the Mayor & Aldermen.

Order of the Common Council Aqueduct appointing Messrs. Gray, Loring, and Jonathan Taylor, with such as the board of Aldermen might join, a committee to enquire and report to the City Council what rights the public or the City government have to the use of the water of the Aqueduct Corporation for the extinguishment of fires and other purposes. Came up for concurrence. Read and concurred, and the Mayor and Alderman Savage are joined.

Petition of Patrick T. Jackson, Jackson & Edward M. Robbins, Junior, praying that the common sewer in Winter street may be new laid. Read & thereupon ordered, that all persons interested be notified to appear before the board on Monday next, at four o'clock P.M. and show cause, if any they have, why the prayer of said petition should not be granted.

Petition of Joseph T. Adams, & Adams others, praying, that a common sewer may be laid on that part of Ann street, between Lafayette & Sprague wharves, on city land. Read & thereupon ordered, that all persons interested be notified to appear before the board on Monday

200. next, at half past four o'clock, P. M. and show cause, if any they have, why the prayer of said petition should not be granted.

Neck lands

Hanson

(Ordered, that the committee on Neck lands be authorized to locate five acres of land due to George Hanson, by virtue of an order passed by the City Council on the eleventh day of June, last.

Com: of Corp.

Boston free bridge

(Ordered, that Aldermen Welsh & Boies & a committee on the part of this board, to confer with such committee as may be appointed on the part of the Common Council on the subject matter of difference between the two boards on the resolves relating to the Boston free bridge. Sent down for concurrence. Came up concurred, and the Common Council appointed on its part Messrs Waters and Wilkinson.

Bradlee

his request

Petition of Joseph P. Bradlee and others, praying that measures may be taken by applying to the Legislature or otherwise to prevent hawkers & pedlars selling tin ware in the streets of the City. Read & committed to the Common Council to Messrs Parker of Ward No 10, Howe and Bent, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read & concurred. Aldermen Welsh & Loring are joined.

Eliot School

House

Answer was received from the Common Council requesting information whether any, &c.

what measures have been taken relative to the alterations & 201.
repairs of the Eliot School house.

A message was ordered to be Eliot School
sent to the Common Council on the subject of the repairs Home
of Eliot School house, stating that the School committee had
appointed a sub committee on that subject.

An ordinance providing for the City Solicitor
appointment of an Attorney and Solicitor for the City of
Boston. Came up from the Common Council passed with
amendments for concurrence. Read and concurred.

The board proceeded to elect by Attorney
ballot on its part an Attorney and Solicitor for the City, Solicitor
and the votes being taken it appeared that Charles P. Moss.
Curtis was chosen. Sent down for concurrence.
Came up concurred.

The committee on the claims of Stratton
John Stratton for his removal from a store on Merchants Row Merchants Row
reported a state of facts, which was read and committed to
Aldermen Welsh and Savages, to consider and report.

Petition of John Sullivan, in behalf Sullivan
of himself, and others, Proprietors of estates bordering on the Mill, Mill Creek
Creek, praying that certain wrongs and grievances relating to
narrowing, altering and obstructing said Creek may be re-
deemed. Read and committed to the Mayor. Aldermen

202. Boies and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred; and Messrs Eveleth, Waters, Dorr and Clark were joined on the part of the Common Council.

Pray
The committee on the petition of North Bennet st. John Pray and others, reported, that Bennet street ought to be widened through the whole land now owned by the proprietors of the New Church on Salem street. The width they leave to the wisdom of the board of Aldermen to determine.
By order of the committee: Josiah Quincy, Chairman.
Read and thereupon ordered, that the board will meet on the premises tomorrow morning at six o'clock.

Adjourned to that time & place accordingly.

Tuesday June 19th 1827.

Met according to adjournment.

Present The Mayor. Aldermen Loring, Boies, Wales Savage.

North Bennet
street.

After examination of the lot on which the new church is about to be erected and hearing Messrs Perkins & Swannor, agents for the proprietors of the church, it was Resolved, that the safety and convenience of the inhabitants require, that North Bennet street, should be widened on the north westerly side, by taking from the land owned by the proprietors of the new church a width of three feet extending from Salem street to the new brick house of Job Turner, ac-

cording to a plan of S. P. Fuller, dated 8th of May, 1827, and 203.
on which the space mentioned above is marked; I certified
as of this date, and the said Bennet street widened, ac-
cordingly.

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Thursday June 21st 1827.

Present. The Mayor, Aldermen Welsh, Boies, Wales, Alger,
and Savage.

Ordered, that Messrs Wright, Ward, Faneuil Hall,
Eveloth, Jonathan Thaxter and Loring, with such as the Board Com^{rs} to repair
of Aldermen may join, be a committee for carrying into
effect the order relative to the repairs and alterations of
Faneuil Hall.

Ordered, that the said committee be
and they are hereby authorized to let the vacant part of,
Faneuil Hall, and the cellar under the whole building, for
such purposes and for such term of time as they may judge
for the interest of the City, not exceeding seven years, provided,
that in case the whole or any part thereof should be wanted
for the use of the City, the leases of such part or parts as
may be wanted for the use of the City, may be annulled
and terminated by giving six months notice; and provided
also, that no part shall be occupied for the purpose of selling
such meat or vegetables as are usually sold in Faneuil
Hall Market. And the Mayor is hereby authorized to

204. execute all leases that may be necessary for carrying the things of the committee into full effect).

Ordered, that the said committee be, and they are hereby authorized to partition and divide the said vacated part of the first floor and also the cellar agreeably to a plan herewith submitted.

Ordered, that the said committee be, and they are hereby authorized to make the repairs and alterations recommended in the report of the committee relative to said repairs and alterations, provided the amount shall not exceed the sum of six thousand five hundred dollars.

Ordered, that the committee appointed to attend to the repairs and alterations of Faneuil Hall be, and they are hereby directed to advertise for proposals as to said work when the estimates shall have been completed.

Passed in the Common Council. Came up for concurrence: Read and concurred, and Aldermen Loring, Boies and Wales are joined.

Faneuil Hall

The committee of the City Council appointed to consider what disposition ought to be made of the lower floor and cellar of Faneuil Hall, in order that the same may produce an income to the City, have attended to the duty assigned them, and ask permission respectfully to report. That after much deliberation and giving due consideration to the various plans that have been proposed, your committee have unanimously decided, that the most profitable disposition that can be made of the vacated part of Faneuil Hall, is to

convert the same into shops or ware houses, and to place them 205.

and the cellars in a condition for occupation. By which Council Act, arrangement it is believed an income may be added to the resources of the City, which ought not to be estimated at a less sum than five thousand dollars, per annum. With this view they have caused a plan to be made of the lower story of the building, showing the different divisions they propose to make, and the dimensions of the several rooms. They have also caused estimates to be made of the expense of the alterations and necessary repairs and of such improvements as they have judged expedient to recommend. The plan and an abstract of the estimates are herewith submitted for the consideration of the Council. In making the several estimates, the committee have availed themselves of the judgment and experience of intelligent mechanics, and they feel the utmost confidence that they are made with as much accuracy as the nature of the work to be done will admit of. It will be seen that a very considerable part of the proposed expenditure is for painting the exterior of the building. This is not strictly within the scope of their instructions, but your committee cannot hesitate to believe, that whatever expense may be necessary to give to this venerated edifice a respectable appearance, will always be acceptable to, and cheerfully sustained by the citizens of Boston. The committee therefore recommend to the City Council the passing of the following order.

John F. Loring, per order.

Ordered, that there be, and is hereby appropriated for repairing the lower floor, and cellars of Faneuil

206. Hall, and for painting and filling the same for occupation the sum of six thousand, five hundred dollars, and that the same amount be temporarily withdrawn from the reserved fund, to be restored to that fund from the proceeds of the sales of the County lands; provided said lands shall be sold within the present financial year.

The foregoing report was read and accepted in the Common Council, and the order passed. Came up for concurrence. Read and concurred.

Knapp
Boston free bridge

The committee, to whom was referred the memorial of Josiah Knapp, and others, on the subject of the Boston free bridge, report that they have heard the petitioners, memorialists and A. K. Williams, Esq. and are of opinion, that the present committee should be discharged from the further consideration of the subject, and that the same should be committed to the committee of the City Council, appointed to superintend the construction of said bridge, and that the Mayor be requested to call a meeting of the Common Council on Monday evening next to act on the subject. Thomas Welsh, Junior, for the committee.

Read and accepted. Sent down for concurrence.

Came up concurred.

State street

Boxing

Ordered, that the vote passed on the 15th instant, requiring bonds of the petitioners, for leave to box across State street be reconsidered, provided the boxing does not extend beyond the edge stone of the side walks.

The board proceeded by ballot to 20/.

the choice of an Engineer to superintend the building of the Engineer for
Boston free bridge, and the votes being taken, it appeared building free bridge
that William Mills was chosen, in concurrence with the
Common Council.

William A. Brabner was licensed Auctioneer
as an Auctioneer, place of business South Boston.

Adjourned to Monday next, four o'clock, p.m.

Monday June 25th 1827.

Met according to adjournment.

Present The Mayor. Aldermen Bellows, Spring, Wicks, Wales,
and Savage.

The committee on the petition of Daniel Holbrooke and others, for liberty to dig a well in
Hill street, and take suction from the same to their estates
on the Mill Pond land, reported, that another well in said
street will much incommode the public, they therefore advise,
that the petitioners have leave to withdraw their petition.
Read and accepted, and ordered accordingly.

Petition of Stephen Higginson, for Higginson
remuneration of his expenses and damages in consequence of the Summer st.
Surveyors of Highways digging down Summer street in the year
1823. Read and committed in Common Council to Messrs
Phillips, Lodge, and Bradlee; with such as the board of Alder-
men might join, to consider and report. Leame up for

208. concurrence. Read and concurred, and Aldermen Loring and Boies are joined. —

Potter
Vintilquest Application of Richard Potter, for a license to exhibit as a Vintilquest, at Concord. Mass. Granted, on payment therefor two dollars per night. —

Rudy
Indisides Application of John Rudy, for a license to exhibit an Androides clock, at a building near the New Market, for one month. Granted on payment therefor five dollars a month.

County
Lands. Order of the Common Council directing, that the committee, who have under consideration what disposition ought to be made of the land belonging to the County of Suffolk, lying between the County Court house on School street, and Court street, be instructed to report, at the next meeting of the City Council, or as soon as possible. Also, an order directing, that the resolutions passed by the Common Council, on the twenty sixth day of June, 1826, on the subject of those lands be referred to the same committee, and that the Clerk be directed to furnish the Chairman with a copy thereof. Came up for concurrence.
Read & concurred.

Bradlee
Oil The committee on the petition of Joseph P. Bradlee, to supply the City with oil, reported, that it will be for the interest of the City to accept of the terms proposed, viz: summer oil at sixte

five cents, and winter oil at seventy five cents per gallon. 209.

Read and accepted, and ordered accordingly.

Agreement to defray the expense of North square,
constructing a common sewer in North square, in the year Common sewer,
1823, made up and filed by the auditor of accounts. Read,
and accepted, and ordered, to be paid by the several indi-
viduals therein named.

Agreement to defray the expense of Ann street
constructing a common sewer in Ann street, in the year Common sewer,
1823, made up and filed by the auditor of accounts. Read,
and accepted, and ordered to be paid by the several indi-
viduals therein named.

It appearing to this board, that notice Adams
has been given, agreeable to the order passed on the 18th instant, Ann street.
on the petition of Joseph T. Adams, and others, to have a
common sewer laid in Ann street, between Lafayette Sprague's
wharves. And now no person appearing to object. It is there-
upon ordered, that the prayer of the petition be granted, &
the expense thereof apportioned according to law, and referred to the
Mayor to see it executed.

It appearing to this board, that Jackson
notice has been given, agreeable to the order, passed on the Winter street.
18th instant, on the petition of Patrick T. Jackson, and others,
that a new common sewer may be made in Winter street.
And now Benjamin T. Andrews, Esq. filed a remonstrance, &
William Bonison, Esq. appeared and objected being heard for

240. The same, as they state the present common sewer is sufficient to accommodate their estates, and after a full hearing, it is thereupon ordered, that a new common sewer be constructed, and the expense thereof apportioned according to law.

Friend Street

Ordered, that public notice be given, to all persons interested, to appear before this board, on Monday next, four o'clock, P. M. and show cause, if any they have, why a common sewer should not be constructed through the westerly end of Friend Street across Causeway Street to Charles River, in order to carry off the water which has overflowed the land in Friend, Canal and Portland streets, and the expense thereof apportioned according to law upon those whose estates shall be benefitted thereby.

Davis

Petition of Daniel Davis, Esq. for compensation for his services in preparing the City Code of By Laws, and ordinances. Read and committed to the Mayor, Aldermen Wales and Savage, with such as the Common Council may join to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Bigelow, Parker (Ward No. 10) Dorr, and Bacon.

Jackson

Petition of Ward Jackson, & others, recommending the appointment of Jonathan Loring, a surveyor of lands, & other business. Read. Surveyor of lands. Thereupon ordered, that said Loring be, & he is hereby appointed accordingly, for the current year. Sent down for concurrence. Came up concurred.

(Adjourned to Monday next, four o'clock P. M.)

Special meeting.

211.

Friday, June 29th 1827.

Present. The Mayor. Aldermen Bellows, Loring, Wales, Alger and Savage.

The several proposals of Messrs True, Printing, and Greene, Beals and Homer, John H. Eastburn, Nathan Hale and William M. Clapp, to do the printing of the City the year ensuing, being presented to this board by the Common Council. Read and thereupon ordered, that Nathan Hale Esq. be and he is hereby appointed printer of the City, the year ensuing.

Ordered, that Aldermen Bellows & Independence: Loring be a committee to make such arrangements as may be deemed expedient, for the celebration of the anniversary of the declaration of Independence, on the fourth day of July, next.

(Application of John H. Schaffer, for Schaffer a license to exhibit fireworks at Washington garden, on the fireworks. evening of the 4th of July, next. Read and the prayer thereof granted, on condition, that the course of the rockets which shall be fired, be directed over the Common, towards the receiving basin of the Boston & Roxbury Mill Corporation).

Order of the Common Council, ap- City Council pointing Messrs Gray, James and Morey, with such as the members of board of Aldermen might join, a committee to consider and report, if a member of the City Council may legally be appointed by the City Council a surveyor of boards, and other

212. Lumber. Came up for concurrence. Read and concurred, and the Mayor and Alderman Savage are joined.

Juvenile off

Order of the Common Council, appointing Messrs Williams, Sears and Dyer, with such as the Board of Aldermen might join, a committee, to inquire the whole number of occupants in the House for the Employment and Reformation of juvenile offenders at South Boston. The whole number of occupants in the House of Correction in Leverett street. The probable number the City will be obliged to support during the present year in each establishment. The probable expense of each. The probable income of each; with instructions to inquire and report, whether any and if any, what, improvements may be made to make either or both of these establishments less burthensome to the City. Came up for concurrence. Read & concurred; and the Mayor and Alderman Savage are joined.

Owen

Order of the Common Council, committing the remonstrance of Benjamin Owen, and others, against the location of Engine No. 16, near the Gun house on Fort hill, to Messrs Russell, Waters and Meriam, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Poies & Wales are joined.

Gardiner

The Mayor reports, on the petition of William Gardiner and others, praying, that a new common sewer may be constructed in Castle street, that after consultation with Mr. Patterson's examination, that it is inexpedient to grant the same. Read & accepted.

Petition of Samuel Train, and 213.

others, praying, that an old building in Chatham street, belonging to His Honor Thomas L. Winthrop, one end of which projects into said street may be cut off. Read and committed to Aldermen Boies and Wales, to consider and report.

Application of Charles Nolen, Junior, Nolen,
for a license to exhibit a solar Microscope, at Joy's buildings. Microscope.
Read and the prayer thereof granted.

Adjourned to Monday next, four o'clock P. M.,

Monday July 2nd 1827.

Met according to adjournment.

Present. The whole board except Aldermen Welsh & Alger.

The committee, appointed to take Washington gardens
into consideration the petition of the Proprietors of Washington
Theatre, and others - Report That they have attentively
considered the arguments contained in said petition, praying
for a reduction from the sum required for a license.
The committee are of opinion, that no deduction can justly
be made for licenses for Theatrical exhibitions, and particularly
in the present case, where equestrian performances are
also permitted, by which the number of performances within
the year will probably exceed those of the other Theatre.
For the committee. W. Wellows.

Read and accepted.

244.

(Communication, was received, from

Mills
Engineer,

William Mills, declining the acceptance, of Engineer to superintend the building the Boston free bridge, in consequence, of his having fractured his ribs. Read and thereupon ordered, that the board now proceed to elect by ballot on its part an engineer in place of Mr. Mills, and the votes being taken, it appeared that Joshua Burr was chosen. Sent down for concurrence.
came up concurred.

Water closets
Privies.

This board being informed, that a practice is prevailing in this City of connecting privies, and water closets with the common sewers, thereupon ordered; that the City Marshal, cause an inquiry to be made forthwith, relative to all houses in which there is reason to believe, that any privy, vault or water closet is connected with the common sewer and unless the same be forthwith remedied, and the said nuisance removed, that he cause prosecutions in each case to be instituted. —

Min. for ward meet.

(Precept from His Excellency the Governor to act Member of for calling a meeting of the Inhabitants of this City, on the 23^d instant, to give in their votes for one person, who is an Inhabitant of Suffolk district, to represent them in the Congress of the United States of America, for the term of two years, from the third day of March last, in place of the Hon. Daniel Webster, who has resigned, in consequence of his being elected to the Senate of the United States. Read and thereupon ordered, that the City Clerk issue warrants for calling meetings of the Citizens in the several wards on Monday the twenty third day of July inst.

at twelve o'clock at noon. The poll to be kept open 215.
until three o'clock. P.M.

Pursuant to a warrant from the Jackson
Judge of Probate, for the County of Suffolk, the board made non compos mentis.
inquisition as to the state of mind of Amey Jackson, of Boston
widow, who has been represented to said Judge, to be a person
non compos mentis, and incapable of taking care of herself.
After notice to said Amey, and examination of a witness as
to her state of mind, the board are of opinion and do adjudge
that the said Amey is non compos mentis, and incapable of
taking care of herself, and certified the same to said judge
accordingly.

The committee of the City Council Davis
on the petition of Daniel Davis, Esquire, respectfully report, that by law & ordinance
in January 1825, the City Council authorized a committee of
that body to select a person to prepare a digest of the laws &
ordinances of the City. That the committee agreed with the
Hon. Daniel Davis, to that effect, in the ensuing February.
All which appears by the original documents on that subject
herewith transmitted and marked A. On the 24th of June
of the same year, Mr. Davis finished his task & delivered
over to the Chairman of the Committee eight manuscripts con-
taining a digest of the laws of the State, relative to the town
or City of Boston; the bye-laws of the late town of Boston,
and the ordinances of the City, accompanied by a letter of
that date containing various suggestions, some of which were
some of which were not adopted by the City Council. This

216. Letter is also transmitted, marked B. Various causes prevented Davis the subject being further prosecuted during the year 1825, by laws & ordin.^{es} for which delays Mr Davis was in no ways responsible, and had no agency in producing them. On the 1st of December, 1825, Mr Davis addressed the letter marked C. to the Chairman of the Committee of the City Council, which is transmitted herewith stating and requesting payment for his services. It was however not deemed expedient or proper to comply with that request, until the work should be completed and published. Accordingly nothing was done on the subject of that petition at that time. In the ensuing year the revising of the bye laws was continued by the City Council, and Mr Davis from time to time was consulted relative to modifications proposed, and adopted. Owing to the great difficulties and delays attending the re enactment of almost all the laws of the City, and the bringing them into forms required by the new organization of the government, the work has not been completed until the present time. It is now published; and the volume is in the hands of the binder, and in a few days will be ready for delivery according to the orders of the City Council. Your Committee having considered the long and great services rendered by Mr Davis, are of opinion that his claim is reasonable, and have prepared an order to that effect, which they respectfully submit for the consideration & adoption of the City Council.

By order of the Committee. Josiah Quincy, Chairman
Ordered, that the sum of five hundred dollars, be paid to Daniel Davis, Esquire, in full for his services in preparing a

digest of the ordinances of the City and of the laws of the 217.
Commonwealth, so far as they relate to the City of Boston,
and that the same be paid out of the appropriation for
incidental expenses and miscellaneous claims. The foregoing
report read and accepted, & the order passed. Sent down for
Concurrence.
Came up concurred.

Petition of Aaron Baldwin, Esquire; Baldwin
to purchase a piece of Neck lands, lying flats, near his Mill? Neck lands
Read and committed to the committee on Neck lands, to
make a bargain with the Petitioner, and report the same
to the City Council, for its acceptance, or rejection. Sent down
for concurrence.
Came up, concurred.

Petition of Joseph Jenkins, and Jenkins
others, praying that a common sewer may be constructed Spring st.
in Spring street. Read and committed to the Mayor, to
consider and report.

It appearing to this board, that Friend street
notice has been given agreeably to an order passed the 25th, Common sewer
sitting, for all persons to appear and object to the construct-
ion of a common sewer through the northern end of Friend
street across Cannon street to Charles river, in order to carry
off the water which has overflowed the land in Friend, (and
and Portland streets. And now after a hearing of the parties
it is thereupon ordered, that the said sewer be constructed,
and the expense thereof apportioned according to law upon those
who shall be benefitted thereby.

Ordered, that the portrait of
Gen. Warren General Joseph Warren, presented to the City, by the Hon.
John Welles be placed in Faneuil Hall.

Bridges over
Canal,

Ordered, that the committee upon
the subject of bridges over the Canal, on Mill Pond land
examine the bridges recently erected, and report to this board
if the same shall be accepted by the City.

Franklin
fund,

The committee to whom the com-
munication of the Treasurer of the trustees of the Franklin fund,
was committed, having considered the same, report, that no
rule can invariably be applied to the discretion of the trustees,
and that it is not expedient to require that sureties be
owners of real estate or employed in such business as is not
exposed to the vicissitude of trade; however proper it may
be in each application for a loan, to consider the circum-
stances of the sureties proposed, with reference to those cir-
cumstances that it is the duty of the Treasurer to supervise pay-
ment of the several debts as by the respective bonds is pro-
vided; and this is all the security which can be expected.
Which is respectfully submitted. Jas. Savage.

Read and accepted.

Licenses

renewed

Ordered, that all persons who were
licensed the last year as Innholders, Victuallers, Retailers &
confectioners, and against whom no complaint has been made
and who shall apply therefor, be licensed the present

year. And in those cases where objections are made, 219.
that the same be referred to the Mayor.

The committee to whom was Knapp
referred the memorial of Josiah Knapp, and others, ask leave
to report, that they are informed by the Boston free bridge
corporation, that the solid wharves or piers now building are
made by the owners of the flats, and ~~are~~ who alone are
answerable for the legal consequences. That the bridge, as
agreed upon by the City Council, is to be constructed after
the model of Canal bridge, and they are pledged to ac-
cept such only. However desirous the City authorities
may be to prevent any obstructions in the navigation,
your committee can discern no right they have to in-
terfere with individuals building on their own flats; but
they disclaim giving the Corporation such authority.

Which is submitted. Jeroniah S. Boies, per order.

Read and accepted, and thereupon ordered,
that the City Clerk transmit copies of the same to
Josiah Knapp, Esquire, and the President of the Boston
free bridge Corporation. Sent down for concurrence.
Same up concurred.

Adjourned to Monday next, four o'clock, P.M.

220. Special meeting.

Thursday July 5th 1827.

Present. The Mayor. Aldermen Bellows, Welsh, Loring
and Tennelly.

Orator
Thanks to Orders of the Common Council re-
questing the Mayor and Aldermen, to present the thanks
of the City to William P. Mason, Esq. for the elegant &
spirited oration delivered by him, on the fourth day of
July, at the request of the City, upon the anniversary
of American Independence; & to request a Copy for the press.

Also requesting the Mayor and Aldermen to ap-
point a suitable gentleman to deliver an oration on the
next anniversary of American Independence, wherein shall
be considered the manners, feelings and principles which
led to that auspicious event. Came up for concurrence.
Read and concurred, and the Mayor is requested to
communicate the same.

Winthrop
Merchants Row. Petition of His Honor Thomas L. Winthrop
for remuneration for his store and land taken to widen Mer-
chants Row. Read and thereupon ordered, that seven thousand
dollars, six per cent. stock, payable in ten years be offered
the petitioner. -

City Council.
Legal of members who were directed "to consider and report, if a member of
the City Council may be legally appointed by the City
Council a surveyor of boards and other lumber," have taken
the subject into consideration and respectfully report, that

there are two clauses of the City Charter which restrict the 221.
eligibility to office of members of the City Council; the one
contained in the twenty first section of that instrument, the
other in the twenty second section of it; the former is in
these words, "Provided, however, that no person shall be
eligible to any office, the salary of which is payable out of
the City Treasury, who at the time of his appointment shall
be a member either of the board of Aldermen or Common Coun-
cil." As the salary or compensation of Surveyor of boards
is not payable out of the City Treasury, the eligibility to
this office of a member of either branch of the City Council
is not affected by this proviso. The remaining clause is in
these words "and neither the Mayor, nor any Alderman or
member of the Common Council shall at the same time
hold any other office under the City government."

Your committee are of opinion that the office of Sur-
veyor of boards not being created by the City government,
nor the officer responsible to it, is not such an office
as a member of the City Council is prohibited from hold-
ing under and by virtue of the above recited clause of the
twenty second section of the City Charter.

By order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Ordered, that the common sewer Friend street
which has been directed to be made in Friend street to can Common sewer,
and across Leamsway street, to the flats.

The following gentlemen were nominated and appointed Auctioneers, for one year, from the first day of July, last, upon their giving good and sufficient bonds according to law. WILM^t Ebenezer Alexander, George Bond, James Bourquin, Timothy M. Baker, Stephen Brown, Henry L. Billings, Joseph T. Boardman, William A. Brabner, George G. Channing, Peradus Elap, Samuel T. Coolidge, Charles D. Coolidge, Joseph Cunningham, Joshua P. Callender, Augustus G. P. Colburn, William Dehon, George L. Deblois, Thomas English, Samuel Eveleth, Wendell T. Edgell, Daniel Hersey, James Hooton, Benjamin Hudson, Francis C. Head, Simeon Hatch, Junr, Nestor Houghton, Thomas H. Jones, Joseph Johnson, Ephraim Locke, Benjamin Poor, John Payne, Daniel Parkman, Edmund Parsons, Benjamin Seaver, Frank Stratton, Joel Smith, John Tyler, Benjamin Tucker, George P. Thomas, Ferdinand E. White, Nathaniel H. Whitaker, and Samuel Whitwell, Junr, and Henry White, Joseph Ripley and Charles Winslow.

Adjourned to Monday next, four o'clock P. M.

Monday July 9. 1827.

Met according to adjournment.

Present. The Mayor. Aldermen, Loring, Tunnelly, Boies, Alger & Savage.

Young & Minns

Petition of Young & Minns, to have Congress

Congress St. street numbered. Read & the prayer thereof granted. -

Petition of Thomas Searle, chair 223.

man of a committee appointed by the New England Society for Searle, the promotion of manufactures and the mechanic arts, praying New England Soc. for the use of the Hall over the New Market house, for the third semi-annual sale of domestic produce & manufactures, for the space of twenty days, commencing on the thirteenth day of August, next. Read and committed in Common Council to the committee on the subject of leasing the rooms over the New Market house, to consider & report. Came up for concurrence. Read and concurred.

Petition of Walter Channing,

Channing
Medical College

Dean of the Medical faculty, in behalf of the medical professors of Harvard University, praying, that the fence between the Medical College and the School house on Mason street may be cut off opposite the eastern angle of the Medical College. Read and committed to Aldermen Bellows and Alger, to consider and report.

Petition of Benjamin Willis, re-

Willis

Sheafe St.

presenting, that he owns an estate on Sheafe street, running east towards Hull street, seventy feet, where he has a stone & brick wall about fifteen feet high, from which to Hull street is ascending ground owned by widow Rupell, Capt. Scott & a Mr. Selouze; the waste water from whose estates as well as from the pump owned in common by the three persons named, runs on the estate of the petitioner so as to spoil the water in his well. Read and thereupon ordered, that the said

224. Russell, Scott and Pelowze, be required to carry their water under ground, according to law, and referred to the Mayor to see it executed.

Grosvenor
Salem North
Bennett Sts. Petition of Lemuel P. Grosvenor,
in behalf of the committee for building a meeting house
at the corner of Salem and North Bennett streets, for
compensation for land taken to widen North Bennett.
Read and committed to Aldermen Searrelly and Savage
to consider and report.

Dickenson The committee to whom was referred
the petition of Daniel Dickenson, and others, relative to
an old house near old north square, being in a dangerous
situation, reported, that they have attempted to cause a
removal of the matter of complaint, by giving notice more
than once to the owner of the estate who is not willing
to rebuild the wall (which is in the opinion of the com-
mittee in a state very dangerous to the neighbourhood, but
the committee know not of any power in the Mayor &
Aldermen to take down and rebuild the wall of any
dwelling house, and they therefore recommend that no
further order be taken on this subject; because the petitioners
may make application for relief to the usual legal tri-
bunals.
Read and accepted.

Cotteral The committee on the application of
William Cotteral, for remuneration of damage sustained by him

in consequence of a mob's breaking and destroying his furni^{ture}, 225.
here, on the first of May, last, reported, that there was no
reason for holding the City liable for the devastation com-
mitted by the mob; each individual, of whom is liable, from
existing provisions of law to punishment for the trespass.

Read and accepted.

Petition of William Jordan, pray^{ing} Jordan,
that the common sewer in Temple street, may be Temple st.
taken up and relaid in order to remove the obstructions in
the same: Read and thereupon ordered, that all persons
interested be notified to appear before this board on Monday
next, four o'clock, P M. and shew cause, if any they have,
why the prayer of said petition should not be granted,
by publication in one or more newspapers.

Petition of Josiah Brown, Others, Brown
praying, that the common sewer in Pond street, may be Pond street
extended from Cooper street, westerly to a Court connected with
the first named street. Read and thereupon ordered, that all
persons interested be notified to appear before this board on Mon-
day next, four o'clock, P M. and shew cause, if any they
have, why the prayer of said petition should not be grant-
ed, by publication in one or more newspapers.

Petition of Thomas Thompson and Thompson
Robert G. Shaw, a committee of the proprietors of the estates Second street.
through which the contemplated second street is to be run

226. stating that they are willing the City should proceed to lay out said street in conformity with the plan herewith exhibited, to said Shaw's southerly line, the City making their part thereof, and connecting the same with the street north of North Market street, and by planking over the Mill creek, and it is also expected that the City will continue their drains. Read and committed to the Mayor, Aldermen Loring, Fennell, Boies and Savage with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Eveleth, Waters, Norr, Clark, Williams, Morey and Wilkinson.

County
Lands.

The committee on the subject of the County lands, having taken into consideration the instructions given to them by the City Council, by an order of the twenty fifth day of June, last, respectfully report, that in the course of their debates, a question arose, concerning the jurisdiction so far as respects sale and giving deeds of the County lands, and concerning the body in which that jurisdiction was vested by the Charter of the City, and the laws of this Commonwealth. Your committee deemed it their duty, to submit those questions to the Solicitor of the City, for his opinion, and directed the Chairman to that effect. The paper marked A contains the questions thus submitted, and the answers of the City Solicitor to them respectively. As it appears by those answers, that in the opinion of that officer, the jurisdiction relative to the sale of the County lands

is vested in the Court of Common Pleas; your committee, 22nd.
have deemed it proper to suspend all further proceedings on
that subject, and refer it, under this view of existing rights
and authorities, to the wisdom of the City Council.

By order of the committee: Josiah Quincy, Chairman.
Read and accepted. Sent down for concurrence.

13. Refers in Common Council to next City Council.

Petition of Ephraim Marsh, in Marsh

behalf of a committee to superintend the building a Church Washington &
at the corner of Washington and Castle streets, praying, that Castle streets.
the line of the streets in front of said building may be
run. Read and thereupon resolved, that the whole board
will attend with Mr. Fuller, the Surveyor on the premises,
tomorrow morning six o'clock, in order to view and run the
lines.

Adjourned to that time and place accordingly.

Tuesday July 10th 1827.

Met according to adjournment.

Present. The Mayor. Aldermen Belknap, Boies and
Savage.

The members present together with Washington &
Mr. Fuller, the Surveyor viewed the land at the corner, Castle streets.
of Washington and Castle streets on which a church is
about being erected, but a quorum not being present nothing
further was done.

Adjourned to Monday next, 4 o'clock P. M.

Monday July 16th 1827.

Met according to adjournment.

Present - The whole board except Alderman Alger.

Leverett street

The proprietors of the common sewer or main drain in Leverett street, by their communication, together with a list of the names of the Proprietors, as on file, offer the same for the acceptance of the City. Read and thereupon ordered, that the same be accepted accordingly.

Jordan

It appearing to this board, that notice has been given on the Petition of William Jordan, that the common sewer in Temple street may be taken up and relaid, agreeably to the order passed the 9th instant. And now no person appearing to object, it is thereupon ordered, that the same be referred to the Mayor with authority to cause the same to be constructed agreeably to the prayer of said petition, if he shall deem it expedient.

Brown

It appearing to this board, that notice has been given, on the petition of Josiah Brown, and others, that the common sewer in Bond street, may be extended northerly, from Cooper street, agreeably to an order passed the 9th instant. And now no person appearing to object, it is thereupon ordered, that the same be referred to the Mayor, with authority to cause the same to be done, if he shall deem it expedient. Proper so to do.

Petition of John Bryant and 229.

George W. Otis, praying, that the board, would reconsider Bryant's vote, relative to the elevation of Mind street. Read, Mind street, and committed to Aldermen Welsh and Loring, to consider and report.

Petition of Ann Nunn, representing Nunn

that she is the wife of Samuel Nunn of Boston, formerly a mariner, and that he does by excessive idleness & irregular habits, so spend, waste and squander his estate as thereby to endanger and expose the City to a charge for his maintenance and support. And now after examination of divers witnesses upon oath, the board are of opinion, that the allegations set forth in said petition are true, and the Mayor and Aldermen made and signed a complaint to the Judge of Probate, for the County of Suffolk, in order that a Guardian may be appointed according to law.

Ordered, that the Superintendent of North Allen

streets notify the proprietors of estates on the north side of North Allen street, from Chambers to Brighton streets, to set back their fences and steps upon the true line of said street, and that the Directors of the Massachusetts General Hospital be notified to set back their fence on the north side of said street upon the true line of the same, according to the plan of said street taken by S. P. Fuller.

Charles F. Bronson was nominated and appointed a fireman for ward No 4. - Ward No 4.

The committee of the City Council, New England, to whom was referred, the application of the New England Society for the promotion of Manufactures and the mechanic arts, for permission to use the rooms over the new market house, for the third semi annual sale of domestic produce and manufactures, have had the same under consideration and ask leave respectfully to report That they are fully imbued with the belief that the true interest of the City will be promoted by a compliance with the request of the society, so far as it is in the power of the City so to do. The committee therefore recommend to the City Council the passing of the subjoined order. J. S. Loring, per order.

Ordered, that the New England Society for the promotion of manufactures and the mechanic arts, be permitted to hold their next semi annual sale of manufactures, wool and other articles permitted by their charter, in the halls over the west and east wings of the new market house, and for that purpose have the use of the said west and east halls, for the space of twenty days commencing on Monday morning, the thirtieth day of August next, free of expense, excepting the repairing any damage that may occur. Read & accepted, & the ordered passed. Sent down for concurrence. Came up concurred.

Ordinances.

Ordered, that one copy of the City Ordinances be delivered to each of the persons and boards herein after mentioned viz: The Mayor, and each member of the City Council, and Clerk, Treasurer, Marshal, Auditor of accounts;

231.
Superintendent of streets, Superintendent of burial grounds - board
of overseers of the poor - board of directors of the house of
Industry - board of aldermen - board of overseers of the house of
correction, for the use of their several boards - Wardens of the
several wards, for the use of the respective wards - Resident
Physician, Clerk of the Market and hayweighers - Chief En-
gineer of the fire department - Justice and Clerk of the
Police Court - Judge of the Municipal Court and County Attorn-
ey - City Solicitor and Chief Justice of the Court of Common
Pleas, and that the remainder of the copies remain under
the care, and at the disposal of the Mayor & Aldermen.
Read and agreed. Sent down for concurrence.
Carried up concurred.

Adjourned to Monday next, four o'clock, P. M.

Monday, July 23rd 1827.

Met according to adjournment.

Present - The whole board except Alderman Alger,

Order of the Common Council appointing Messrs Waters, James and Gould, with such as the board of Aldermen might join, be a committee to superintend and cause an additional story to be erected on the Eliot School house, and that the interior be fitted up in such a manner as the Mayor and Aldermen with the advice of the School committee may direct, and that the amount be paid from the sum appropriated for that purpose: Provided, that before any money be expended

232. ed, contracts shall be made, for making all the repairs and alterations contemplated, for a sum not exceeding three thousand dollars. Came up for concurrence. Read and referred to the Mayor, Aldermen Loring, Boies, Wales and Savage, to consider and report. -

non concurred vide
page 237...

Owen
Engine N. 16. into consideration the representation of Benjamin Owen and others, ask leave to report, that as it is the opinion of the Chief Engineer, of the fire department, as well as the company of firemen attached to Engine N. 16, that the building, a new house adjacent to the gun house will be hazardous and otherwise inconvenient, recommend that its place of location may be changed to Purchase street, & as your committee have an offer of a suitable lot of land fifteen feet on said street and forty five feet deep now owned by J. P. Simpson, on a lease of ten years for sixty dollars the year, recommend having the same, and having estimated proposals for building a new Engine house for the sum of four hundred and eighty four dollars; they advise passing the following resolutions.

* quote "now"

Resolved, that a sum not less than four hundred and eighty four dollars, be appropriated and drawn from the funds for repairs of public buildings, for building an house for Engine N. 16. -

Resolved, that Enoch Patterson, Esquire be authorized to take a lease of the land under the direction of the City Solicitor, build the engine house, & when completed sell the materials of which the present house

is composed. — Jeremiah S. Boies, per orders. 233.

The foregoing report, read and accepted in Common Council, and the resolves passed. Came up for concurrence.
Read & concurred.

Order of the Common Council. Common
directing, that the sum of two thousand dollars be added to the appropriation for common sewers, and that the same amount be withdrawn from the appropriation for a Reserved fund.
Came up for concurrence.
Read and concurred.

Petition of Philip Wendworth, Northweth
praying remuneration & damages in setting back his fence Greenough Lane
and taking his land to widen an Alley leading from Huron
street to Lynn street, called Greenough Lane. Read and
committed to the Mayor to consider and report.

The committee to whom was referred Bryant
and the petition of John Bryant and George W. Otis, relative Minot St.
to the elevation of Minot street, report, that they have caused
Minot street to be resurveyed, and recommend, that the
level of the edge stones on said street be fixed as follows
VIZ: At the southerly end of said street to commence at
the same level with the edge stones on Leverett street, at a
point one hundred feet distant northerly, two feet, six inches
below the edge stones at the westerly side of Minot street
on Leverett street, and from thence to fall in the ratio of

234: Two feet, six inches per hundred feet. —

John F. Loring, per order,
Read and accepted.

Fisk
Washington St. Petition of William Fisk, for
damage in removing his fence in front of the Bull pasture
(so called) on Washington street. Read and committed to
Aldermen Bellows and Alger, to consider and report.

Winthrop &
Bowdoin St. Petition of Thomas L. Winthrop &
James Bowdoin, Esquires, praying that there may be paid
for land taken in the year 1825, to widen Bowdoin street.
Read and committed to Aldermen Loring and Watts,
to consider and report. —

Superintendent
burial grounds. The committee of the City Council
to whom was committed the communication of Samuel A.
Fewes, Superintendent of burial grounds, ask leave to report.
That the object of this communication was to draw the atten-
tion of the City Council to the dilapidated state of the
fence surrounding the burial ground on Washington street,
at the south part of the City. On examination by your
committee, it appears, that the fences inclosing this ground
are altogether insufficient to afford the necessary protection
to this sacred spot. To rebuild a fence similar to the pre-
sent one, would be attended with an expense of five or six
hundred dollars. To obviate this expenditure of money, the
following plan is suggested: It has been ascertained, that

a number of gentlemen (say twelve or fifteen) have personally 235.
applied to the Superintendent, for tombs, the cost of which will
not exceed two hundred and ten dollars, including a handsome
stone fence of hammered granite, capped with the same, with
sufficient drains from each tomb, as per plan herewith presented.

Your committee therefore recommend, that said Superintendent,
be authorized and directed, to proceed under the direction of
a special committee of the City Council, to erect as many
tombs, conformably to the plan herewith reported, as he can
find purchasers for, commencing at the north west corner,
and proceeding southerly on Washington street; thence on the
southerly boundary, and so on, until the whole ground
shall be enclosed, with a substantial stone fence, not less
than six and an half feet in height; but on the express
condition, that the construction of the tombs shall not be
undertaken faster than purchasers shall appear, to take & pay
for them, thus obtaining a handsome and ornamental en-
closure, without expense to the City. Which is respectfully
submitted. By order of the committee. J. Bellows.

Read and accepted, and thereupon ordered, that the
former committee be authorized to carry the same into
effect.

Sent down for concurrence.

Learn up concurred.

(Application) of Robert Smith, for a license Smith
to exhibit, a live Sloth, from South America, at No 29 North Sloth
Market street. Read & the prayer thereof granted, until the further
order of this board, he paying therefor, one dollar.

Application of Mr. Alley, Junior,
Alley for a license to exhibit two live seals, for two or
seals three weeks. Read and the prayer thereof granted,
he paying therefor two dollars.

City Marshal Representation of the City Marshal
water closets. Returning the several names of the owners of houses who
have water closets which communicate with common
sewers. Read and thereupon ordered, that the City Mar-
shal, give notice to the several owners of water closets,
that all communication with common sewers be cut
off forthwith, and in default thereof, that proceedings
will ensue. —

Return of votes. The board proceeded to examine
Members of Congress. the returns from the several wards of the votes given in
this day, for one able and disinterested person being an In-
habitant of Suffolk district, to represent the Commonwealth
of Massachusetts, in the present Congress of the United States,
in place of the Hon. Daniel Webster, who has been duly elected
to the Senate of the United States, and resigned his seat in
the House of Representatives, and they were found, as set
forth in the record book of votes. The return was signed
by the Mayor, and a majority of Aldermen, attested by the
City Clerk, sealed up, and directed to the Secretary of the
Commonwealth, and delivered at his office by the City
Clerk.

Adjourned to Monday next, four o'clock P.M.

(Monday, July 30th 1827.

237.

Met according to adjournment.

Present. The whole board, except Aldermen Alger.

Petition of Henry Sargent, Esquire, Sargent
and others, a committee of the Petitioners to the Legisla Rail way.
ture, for a rail road, from Boston, to the Hudson river,
praying, that a place may be designated where the pro-
posed route to be surveyed may commence; and for that
purpose, that a piece of land south west of Charles street, or
some other suitable place may be appropriated for a depot
and termination of the proposed rail way. Read and
committed to the Mayor, Aldermen Bellows, Welsh,
Dunnell, and Savage, with such as the Common Council
may join, to consider and report. Sent down for concur-
rence. Came up concurred, and the Common Council
joined on its part, Wep^r Ward, Russell, James, Eveleth,
Bigelow, Gould and J. Theater.

Ordered, that the Mayor be re-
quested to call a special meeting of the Common Council,
on Monday next, five o'clock, for the purpose of taking
the subject of the foregoing petition into consideration.

Mayor to call
a special meeting
Common Council.

The committee of the board of Aldermen Eliot School
to whom was referred the order of the Common Council; ap- house:
pointing a committee to be joined on the part of the said
board, for the purpose of superintending and causing an additional.

238. story to be erected on the Eliot School house, having considered, Eliot School that subject, respectfully report, That the order of the Common House, referred to this committee is endorsed on a memorial signed by a very large number of citizens of Ward N^o. 1, praying for a ward room, in said ward; and although in the said order nothing is said about a ward room, yet, from the above circumstances as well as from the said orders providing that "an additional story shall be erected on the Eliot School house" yet your committee are compelled to consider this subject in connection with the building of a ward room, in order that the board may have a distinct view of its duties in this respect. On examining the condition of the Eliot School house, your committee find that the seats and desks are contracted, and out of repair, and that the real want of that school is an enlargement of the floor space, on each story. And that the raising of the school house one story is not necessary for the accommodation of the schools in this respect. By raising the house one story, no additional floor space will be gained. In turning their attention to the real interests of the City, relative to that school house, considering merely in the light of a school house, and laying the project of a ward room out of the question, your committee are of opinion, that all the improvement of which the house is susceptible, may best be obtained, by erecting a portico at the north east end, and thereby enabling all the space on the south west end, now occupied by the entry and staircase, to be included within the school rooms, in each story; if this should be done and the seats and desks arranged after

the manner and in the general style recently adopted in the 239.
Hawkins street School house, your committee are of opinion, Eliot school,
that the best arrangement would be made, that is possible of house.
that School house, for the accommodation of it, for the purposes of
a school; inasmuch as thus all the space within the walls
would be appropriated for school purposes, without deduction for
entrance and staircase, and the light of the house would be
materially improved by the additional windows at the south
west end. Having caused an estimate to be made of all the
expenses of this improvement by an experienced master Carpen-
ter and mason, your committee find, that the cost will
not exceed twenty two hundred dollars. With respect to rais-
ing the Eliot School house one story, for the purpose of improving
it as a School house, your committee are unanimously of opin-
ion, that it is not necessary, and would be a waste of the
public moneys. On the plan, which is understood to be
connected with this raising, as no portico at the north east
end is included in it, there will be no more floor space
gained to either of the ~~walls~~ schools, as the effect of sub-
raising of the story. Now the interior of both stories of the
School house, might be arranged in the style and on the
principle of the Hawkins street School house, with the floor
space as it now is, without raising the roof, and without
ereciting a portico at the west end, at an expense probably
short of one thousand dollars. Whereas the contemplated im-
provements of raising the roof will, without any material ac-
commodation to the school, considered as exclusively as such cost
at least three thousand dollars and probably considerably more.

240. since your committee find that a former committee on the Eliot School seventeenth day of October, 1825, reported that it would cost house five thousand dollars. If the proposed alteration is intended for the accommodation of the Eliot School house, as a school house, your committee are of opinion, that it is inexpedient, and ought not to have the concurrence of this board.

If however, the board shall deem it expedient to raise the Eliot School house, for the purpose of accommodating the citizens of Ward No. 1, with a ward room, according to the prayer of the petition, on which the said order of the Common Council is endorsed, then the subject presents itself to the consideration of the board, in another aspect, and must be considered on the ground of general expediency. At present there are only four rooms, in the City. Two at the north end, in the Hancock School, and the Gun house, in Wards 2 & 3; One at the south end, in the Franklin School, in ward 12; one at the west end, in the High School house, in Ward 6. — All these ward rooms have obtained incidentally, while building the school houses, and gun house. In no instance has any important expenditure been made in any ward for the purpose exclusively of accommodating it with a ward room. In one or two wards it has been petitioned for, and the appropriation refused. What is done for Ward No. 1, will unquestionably and justly be deemed a precedent, as it respects the other wards; all of which cannot be accommodated with a separate ward room. So any just estimate at a low expense than twenty thousand dollars. Whether the City Council are prepared to commence a system, which will eventuate in such an expendi

sure, for such an object it is for the respective branches of it to 241.
consider. Upon the view of the whole subject, your committee, Elliot School
are of opinion, that it is not expedient to raise the Elliot house
School house an additional story, for the purpose of obtaining a
ward room; and that it is neither necessary nor expedient to
raise it an additional story, for the purpose of improving the school
rooms. They therefore recommend a non concurrence with the
Common Council in the order proposing the erecting an additional
story on the Elliot School house, and recommend for the adoption
of the board the following order, which should it receive the
action of the Common Council would place the subject of the
Elliot School house, on a footing the most eligible for the
interest of that School. All which is respectfully submitted.

By order of the committee, Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that
the School committee, be and they hereby are authorized to
make such alterations in the Elliot School house, as in their
judgment the interests of that School may require, ^(A) and for that
purpose if they deem it expedient may cause a portico to be
erected at the north east end, and cause the space now oc-
cupied as a staircase, and for entry ways to be taken into
the school rooms; ^B provided, they shall previously ascertain
that the improvements and alterations thus contemplated shall
in no event exceed three thousand dollars. Sent down for
concurrence. Came up concurred, with an amendment, strike out from
A to B. Read and concurred.

The order mentioned in said report, which
came up from the Common Council for concurrence. Read &

242 men concurred, in pursuance of the report above recorded,
Yeas & nays.

Upon the accellance of the foregoing report, &
passing the order, the yeas and nays being required, were
taken as follows viz: Yeas. Aldermen Bellows, Welsh,
Loring, Boies, Wales and Savage. 6.
Nay- Alderman Fennelly. 1.

Constables
appointed.

The following named persons were nomi-
nated and appointed Constables of the City of Boston, for one
year viz: Elisha Ireland, James Perkins,
Jonathan Prescott, Thomas Holden, George Reed,
Isiah Baldwin, Horatio Bass, Ebenezer Prescott,
Elisha V. Glover, Thomas Wallace, Ebenezer Shute,
George Robinson, James Pierce, Asa Prouty,
Mitchell Lincoln, Michael Riley, John Henry,
Isiah Clark, Solomon B. Morse, William Dinamore,
Abraham Lansing, Jedidiah Sawtelle, Emanuel Chisolm,
George Jones and Willard Clough.

Aqueduct

The committee of the City Council who
were directed to inquire and report on the rights of the City to
the use of the water of the Aqueduct Corporation, having attend-
ed to that subject respectfully report, that by the original
act of incorporation of the Aqueduct company, the right of draw-
ing conductors free of any expense for the use of the water
into the pipes of said Corporation is reserved to the City of
Boston, for the purpose of drawing water on occasions of fire,
in the said City, upon the sole proviso that the conduct-

be so secured as that water cannot be drawn therefrom un- 243.
less by the order of the firewards or engineers, or the City
government. Your committee further state, that the City
government have already availed itself of this privilege &
placed conductors or ~~by~~ ~~down~~ hydrants, in connection with
the pipes of that Corporation. Being of opinion that a
further exercise of this privilege might be advantageously
made, in the southern parts of the City, where there are
no reservoirs. Your committee recommend that this sub-
ject be referred to the special attention of the committee,
authorized to build reservoirs, and that they have authority
to apply such portion of the appropriation which they may
deem expedient to this object. Submitted by order of the
Committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.
Came up concurred.

The committee upon the appli- Goodman Saville
cation of Goodman and Saville have given them a hearing & Merchants Row
find the following facts, that during the time the petitioners
were deprived of their store in Merchants Row they paid
a rent of three hundred, thirty three dollars & thirty three
cents, and they were also at great expense in removing their
goods from their store and returning the same when redempt
for which, with rent paid as aforesaid, your committee are of
opinion, the said Goodman Saville are justly intitled to the sum
of four hundred & thirty three dollars & thirty three cents. Which is
submitted. Jeremiah S. Davis, per order.

244. The foregoing report read and accepted, and referred to the Mayor to see that proper discharges are given.

Grosvener

The committee of the district, to whom was referred the application of Lemuel P. Grosvener, in behalf of the proprietors of the Church, now erecting on the corner of Salem and Bennett streets, for compensation for land taken for widening Bennett street and for extra expense incurred by said proprietors, having considered the subject, respectfully report, That when, on the twenty eighth day of May, last, the first communication of said proprietors of their intention to erect a church on their lot of land was first made to the Surveyors of highways, and by them referred to the committee of the District, it was by said committee considered, from their knowledge of the lot of the adjacent streets on three sides, that it would be the natural design of said proprietors to erect their edifice for their own advantage in the manner that would be most consistent with the public convenience, and necessity, whether the front were on Salem or Bennett street; that nothing was made known by said proprietors of their intent to erect any other building than a Church; and that it did not seem necessary to the committee to make any report, so confident were they, that the good of the proprietors and of all the neighbourhood would coincide; and that when, on the eighteenth day of June last, it was found that said proprietors were erecting their building on the line of Salem street in front, and on the line of Bennett street, for one side, in its whole length, a great alarm was raised in the vicinity

least in those narrow streets much inconvenience would be felt 245.

by worshippers passing to and from this and other houses of Grosvenor
public worship, of which there are seven or eight within a few Salem North
hundred feet, and that an immediate representation from a great Bennett Street
number of citizens dwelling in that quarter, whereupon a meeting
of the whole board was convened on the spot the next morn-
ing, when the measure was adopted, of widening Bennett Street,
as stated by the application, the space of three feet, it being
found, that the plan of the building would materially be
injured, if any part of their land were taken from the pond on
Salem Street, because it was designed to cover the whole depth
around by said proprietors; that about eight perches of stone was
laid in the side walls, as part of the foundation, and a trench
dug for other part; that the expense of the digging, foundation
to the amount of sixty dollars, as stated by the proprietors, ought
to be retained by the City; that for the land taken, though it
is believed, that nothing ought to be claimed, inasmuch as the
proprietors might well have given in that portion of land for
the convenience of all those who may become worshippers in
that edifice, it may well, for the City, since the public
derive some benefit in common with the proprietors to pay a
portion of the value of the two hundred and sixty eight feet
taken at the rate of two shillings a foot, being the same as
was given for some of the most valuable land in Salem
street; (Wherefore) they recommend an allowance of one
hundred and forty nine dollars, thirty three cents, in full
for damages to said proprietors for said land & expense of digging.

Read and accepted.

246.

On the petition of Philip Wentworth, the Mayor reports, that on the eleventh day of July, 1823, the committee of the northern district, were directed to take down the fence in question; upon a report to that effect, which will be found at large of the above, in page 234 Vol. 3^d of the Mayor and Aldermen's records. The question concerning the title to that portion of the passage way claimed by Mr. Wentworth, the said committee not having undertaken to decide. The Mayor therefore recommends, that the question of the City's title to that passage way be referred to the City Solicitor, with a request, that he examine into and make a report on the same. Josiah Quincy.

Read and accepted.

Willis
Sheep street. On the petition of Benjamin Willis. The Mayor reports, that the real injury to Mr. Willis, is the consequence of the rain water, which is determined by the slope of the land upon his estates, which lie below the adjoining estates mentioned in his petition. That the waste water from the pump it is agreed on all hands does no material injury to him. The Mayor being of opinion that rain water falling from the heavens, does not come within the scope of the bye law, which provides, that "waste water shall be conveyed through drains, to the Common sewer" and after consulting with the City Solicitor, and finding the opinion of that officer concurring with his own concerning the meaning of the term "waste water," in that bye law, has notified Mr. Willis to that effect; his remedy, if any, being of the nature of a

civil action, and not under laws regulating general police. 24th.

Josiah Quincy.

Read and accepted.

Petition of Ebenezer Smith, praying Smith
that the elevation of Charlestown, Prop. Merrimac. streets Charlestown, (Prop.
may be determined, and the width of the side walks as Merrimac st.
certained. Read and committed to Aldermen Sennelly &
Savage, to consider and report.

The committee of conference on the Boston free
part of this board, to whom with a committee on the part of Bridge
the Common Council was referred, certain matters in difference, Com. of Conference
between the two branches of the City Council, relative to sundry discharged
resolutions of the Common Council made on the fifth day of June
last, on the subject of the Boston free bridge, reported, that since
the appointment of the committee it was notified, to meet to
take into consideration the matters committed to them, but the
full committee of the Common Council not appearing at the
appointed time, those who were present determined not to
proceed, and the committee further reported, that they have
not acted on the matter submitted to them. The foregoing
report accepted, and thereupon ordered, that the committee of
conference be discharged.

John Mahy, sexton of the 3^d Baptist Church was nominated & appointed a funeral undertaker. Mahy
General Undertaker.

Adjourned to Monday next, four o'clock P.M.

248.

Monday August 6th 1827.

Met according to adjournment.

Present. The whole board except Aldermen Boies & Alger.

Mercantile,
Wharf Corp^y

Order of the Common Council com-

mitting the Mayor's message relative to the contract with the Mercantile Wharf Corporation, to the committee on the subject of laying out Second street, with authority to receive any propositions the said Corporation may be disposed to make, & to lay the same before the City Council whenever they shall be of a character in the view of that committee coincident with the interests of the City. Came up for concurrence.

Read and concurred.

Baxter

Petition of Walter A. Baxter, pro-

se, asking that the rent of Office No 3 & 6, Old State house may cease he having surrendered the possession on the 11th instant. Read and the prayer thereof granted, upon his paying the rent now due.

Engine No 8

Petition of Engine company No 8,

stating that their present Engine house is inadequate to their accommodation, and the protection of the engine and apparatus belonging to the same, and praying that the Old Franklin School house may be fitted up as a temporary place until a more suitable one shall be provided for them. Read and committed to the committee on the fire department, to consider and report.

Reservoir

Ordered that a reservoir be sunk in West Centre st.

A

The Mayor reports, that it appears 249.

by the papers of the Friend street common sewer, that Henry Farnham is entitled to thirty dollars in full for the drain originally laid by him, in said street, he recommends therefore, that the auditor of accounts be authorized to pay him that account, on his executing a receipt in full, on account of the common sewer in said street.

(Read and accepted).

(Ordered, that Aldermen Welsh, School and Young and Wales, be a committee of arrangements for the annual visitation of the public schools on the 22^d Instant, and that they cause a dinner to be provided in Faneuil Hall; and the old tables to be repaired; or new ones provided as may be thought requisite and that said Committee cause cards of invitation to be sent to the clergy and the several gentlemen holding public offices in the City and elsewhere, and such strangers visiting the City as they may deem proper.

Petition of John W. Whitman, in behalf of the Inhabitants of South Boston, praying, that two watchmen may be appointed for the protection of that part of the City. Read & the prayer thereof granted, and referred to the Mayor with authority to carry the same into effect.

(Adjourned to Monday next four o'clock P. M.)

Monday, August 13th 1827.

Met according to adjournment.

Present The Mayor. Aldermen Bellows, Loring, Boies
Wales and Savage.

Carmen
Plan of Neck
Lands.

The committee on the petition of
Daniel Carmen and others, relative to a revision of the
Plan of the Neck Lands, Report, that since the appoint-
ment of your committee the commissioners who were ap-
pointed by the Legislature the last session have commenced
on the duties of their appointment, which is to examine &
locate the point where the contemplated rail road shall ter-
minate. In the opinion of your committee the Lands be-
longing to the City will afford as many conveniences for
this purpose as any other known to your committee. We
therefore recommend, that this subject remain without al-
teration until the decision shall be had by the State
commissioners. Per order. J. Bellows. —

(Read and accepted. Sent down for concurrence.

Leame up concurred.

Adams

Market stalls. Petition of Thomas Adams, and
others, occupants of the cellars and stalls in the New Market
house, praying, that their rent may be reduced. Read and
committed to Aldermen Bellows, Loring and Boies with
such as the Common Council may join, to consider &
report. Sent down for concurrence. Leame up concurred, &
the Common Council joined on its part, Messrs Williams, Parker
Ward 51 Waters, Meriam, Sears.

Petition of Mathias Seach, pray 251.

ing, that his side walk, at the corner of Summer & Hancock Street, may be laid, according to the agreement made by the former board of Aldermen. Read and committed to Alder Seach, man Welsh and Loring, to consider and report.

The committee on the petition of William Dall, and others, praying, that a street may be made around the margin of the City's land in the Back Bay, so called, reported, that the subject subsides for the present. Read and accepted.

Appropriation to defray the expense of a small piece of common sewer laid by the City, in the year 1826, in Washington Street and Dock Square, reported by the auditor of accounts. Read and ordered that the same be collected of the several owners of estates who are benefitted thereby.

Appropriation to defray the expense of constructing a piece of common sewer in Kilby Street, south of Water Street in the year 1825, reported by the auditor of accounts. Read and ordered that the amount be collected of the several owners of estates therein named.

Communication from Noah James, declaring his resignation of the office of Superintendent of the City Stables. Read and accepted, and thereupon ordered, that Mr. Patterson be authorized to engage Herman Goodnow, until the further order of this board.

Petition of Samuel Adams, &

Adams others, praying, that the common sewer may be continued from Pond street, to Milk way street so called. Read and committed to the Mayor, to consider and report.

City Marshal

Representation of the City Marshal,

Clapp

stating, that Galen Clapp, a licensed hand cart man, who stands in Washington street near Essex street, employs an improper person named Holmes Mahewin to draw his handcart. Read and committed to Alderman Loring, to consider and report.

New Market

house

Ordered, that the committee on the

Market, examine the leak in the cellar of the New Market house, and cause the same to be stopped and secured against the tide water.

Adjourned to Monday next, four o'clock P. M.

Monday August 20th 1827.

Met according to adjournment.

Present. The whole board except Alderman Alger.

House of Industry Dir.

Petition of the Directors of the

House of Industry, praying, that an appropriation may be made, for the purpose of extending their wharf at South Boston. Read and committed to Aldermen Loring, Boies, and Savage, with such as the Common Council may join,

to consider and report. Sent down for concurrence. Came 253.
who concurred, and the Common Council, joined on its part,
Messrs Lodge, Bond, Gullett and Gray.

Communication of the City Marshal
stating, that Messrs Perry and Glines, and Mr. Harvey, Messrs Glines &
His, have given notice of their intention to erect two dwelling
houses on Winter street. Read and committed to Aldermen Winter street.
Welsh and Loring, to consider and report.

Ordered, that the committee of Winter street.
The district be instructed to enquire into the state of the
buildings about to be erected on Winter street, and consider if
it be expedient for them to be erected on the line of the
street, or required to be set back.

Ordered, that the committee on Market
the Market, be instructed to cause all stalls and stands to
be removed from the front of the west end of Faneuil Hall
Market.

Ordered, that Aldermen Bellows & Ballard
Loring, or a committee, with authority to agree in case that Bromfield Lane.
Joseph Ballard, shall agree to set back his building on a
line with the north line of the west end of Bromfield Lane
that this board will cut off so much of the adjoining
land as is covered by the shop belonging to Messrs
Pigelow, Junior, Esquire, of Weston, so far as it is in front of
the said north line.

Ordered, that peaches shall not be
 Peaches sold out of wagons, carts or other carriages, or from stands,
 Sale of benches, baskets, or in any other manner in Dock or Market
 squares, or in any street adjoining said squares, except only
 that part of South and North Market streets which lies east
 of the door in Faneuil Mall Market, which is between stalls
 Nos 81 and 83. —

Petition of Francis Jackson, praying
 Jackson That the yard in front of the Franklin School house or
 Franklin School house. Washington street, may be filled up and finished to cor-
 respond with the other part of the premises. Read and
 committed to Aldermen Bellores and Alger, to consider
 and report.

Ordered, that Aldermen Boies and
 Old State House Wales be a committee, with authority to lease at auction
 the office in the old State house Nos 3 & 16, for a term
 not exceeding three years.

Communication of Josiah Medman in
 Medman behalf of the Boylston Insurance company, giving notice that
 Boylston Ins. Co. said company are about building two brick stores on Washington
 Washington st. nearly opposite the Boylston Market. Read & committed
 to Aldermen Bellores and Loring, to consider and report.

Adjourned to Monday next, four o'clock, P. M.

Monday August 21st 1821. 255.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

Petition of Phillip Luther, & Luther Stephen Lang, praying, that the City would sell to them Portland st. a piece of land on Portland street, which is under lease to Ebenezer Smith. Read and committed to Aldermen Welsh and Boies, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. M^{rs} Dorr, Wigelow and Adams.

Ordered, that Samuel May, Esq. Mayor be notified to lay his side walks in front of his store on State & Broad and Broad streets, within twenty days, from the time of such notice, agreeable to the provisions of law; and if said May shall neglect or refuse to lay said side walks, as aforesaid, within the time above specified, then it is ordered, by this board, as Surveyors of Highways, that the Superintendent of streets forth with cause the same to be made, and place the amount expended in that respect in the hands of the City Solicitor to be prosecuted according to law.

The committee on the subject of Ballard widening Bromfield lane, upon the application of Joseph Ballard. Bromfield Lane. Report, that they have examined the premises, and conferred with the said Ballard, and are of the opinion, that the present offer

256. tunity should be embraced to widen the said street, about three feet near said Ballard's estate, and the estate adjoining easterly, upon the condition that the said Ballard shall give his land to the City. The land to be taken and probably paid for, is about eighty four feet, covered by a wooden building of little value. By order of the committee, J. Bellows.

Read and thereupon ordered, that Alpheus Bigelow, Esquire, of Weston, be notified, that the Mayor and Aldermen will meet in Bromfield's lanes, on Monday, next, four o'clock P. M. for the purpose of considering the expediency or necessity of widening said lane, by taking a part of the land of said Bigelow, for that purpose viz: about eighty four square feet.

Shaw, Petition of Lemuel Shaw, Esquire, & Lovell place, others, owners of real estate, and residents on Lovell place & Bechoad street, Prospect street, praying, that said place and street may be accepted by the City. Read and committed to Aldermen Boies and Wales, to consider and report.

Young, Application of James Young, for a Phantasmagoria, license to exhibit Phantasmagoria, and leger de main, at Delark's tavern, South Boston, this evening. Read and the prayer thereof granted, on payment of two dollars therefor.

Hewins, Petition of Simon H. Hewins, & Co. Chatham street, praying, permission to make an arch under the sidewalk in Chatham street, six feet by ten. Granted, on the usual terms and conditions.

Ordered, that the Mayor, Alder 257.

men Welsch and Savage, be a committee, with authority to make, Hatch an agreement with Oliver Hatch, and settle the terms and, Crisp street. conditions upon which he shall be authorized to lay a section pipe and take water from a well in Long street.

Appointment to defray the expenses Milk & Federal of constructing a common sewer, laid in Milk street, from the streets. corner of Federal street, in the year 1825, and also a small piece of sewer in Federal street connecting with the Milk street sewer, and laid in the year 1826, being made up by the auditor of accounts. Read and accepted, & thereupon ordered, that the amount thereof be collected from the several persons and corporation therein mentioned.

The committee appointed to con- Sullivan sider the bill of William Sullivan, Esquire, reported, that they con- Appers cieve it to be the duty of the Appers to make it known to the City Council before they incur any expense for legal aid, in the prosecution of the duties devolving on them as appers, but the services having been rendered, the committee recommend the payment of said bill, amounting to thirty dollars. —

Read and accepted, and ordered accordingly.

The committee having under con- Stratton sideration the claims of John Stratton, for his removal from store Merchants Row, in Merchants Row, ask leave to report, a state of facts, as made by the parties. The estate was leased by William Boardman to

238. George Whiting, in the usual form, for the term of seven years from the first day of April 1821, for seven hundred and fifty dollars; after the decease of said Whiting, John Stratton administered upon the estate of said Whiting, and as administrator entered on the same in January, 1826, and during his occupation made repairs to the amount of seventy five dollars, and states that he was doing business there on his own account until removed by order of the City authorities. He also states that Mr. Patten was an under tenant to him doing business on his own account. Mr. Stratton agrees and Mr. Patten consents that their claims may be considered by the board of Aldermen. Stratton and Patten paid no rent to Boardman after the first of July 1827, and they were removed by the City authorities the fifteenth of August following, for which last half quarter no rent has been paid or demanded.

Stratton & Merrill claim as damages for removing \$250.

James Patten claims for ditto 200.

Stratton claims the value of his lease over the rent agreed for 962, 50

Joseph T. Bradley, an under tenant also claims 75.

\$1487.50

Jeremiah S. Poiss, per order.

The foregoing report being read and considered, thereupon entered, that there be allowed and paid to said Stratton two hundred dollars, in full for his said damages, and that no other claim be allowed.

Fireman

Ward No. 7.

George Calder was nominated & appointed

afireman of Ward No. 7.

Ordered, that the Mayor transmit 239.

to the Cities of New York, Philadelphia and New Orleans, two copies Ordinances,
each of the City ordinances recently published; and to the Cities
of Albany, Baltimore and Charleston, one copy each.

Ordered, that no petition for a License
license as an Innholder, Retailer, or of any description shall Rule respecting
be acted on by this board, until seven days after the said
petition shall have been read and committed.

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Tuesday August 28th 1827.

Present - The whole board except Alderman Alger.

Petition of Jonathan Chapman, pray Chapman
ing permission to place a stone post at the corner of Bowdoin & Bowdoin Cambridge
Cambridge streets. Read and the prayer thereof granted, under
the direction of the committee of that district. streets.

Petition of M. G. Otis, Esq. in behalf Otis
of the owners of estates on Winckney street, praying, that the gut-Winckney St.
ters in the westerly part of the same may be paved. Read and
committed to Aldermen Welsh & Loring, to consider and report.

Application of George Abbot, for a Abbot
license to exhibit three live Ostriches at Huntstones stable Ostriches

260. on Washington street. Granted on paying therefor, two dollars per week.

Adjourned to Monday next, four o'clock p.m.

Monday September 3rd 1827.

Met according to adjournment.

Present. The whole board except Aldermen Wales & Alger.

Wap^{ac} Gas light

Co.

Petition of the Massachusetts Gas light company, praying, liberty to light the city. Read and committed in Common Council to Wap^{ac} Sprague, Evelth and others, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Boies and Savage are joined.

Minot

Treasurer of

Franklin fund

Communication from William Minot, Esquire, Treasurer of the Franklin fund, stating, that he has a balance of over seven hundred dollars in his hands, suggesting the propriety of investing one hundred dollars, in the Massachusetts hospital life insurance company. Read and committed to Aldermen Loring and Boies, to consider and report.

Treasurer of

Franklin fund

Committee to settle
his accounts.

On the communication of William Minot, Esquire, Treasurer of the Franklin fund, requesting that a Committee may be appointed to settle his annual accounts. Read and thereupon ordered, that Aldermen Fenwick, W. & Co. be a committee for that purpose.

On the petition of W. G. Otis, Esq. 261.

Ordered, that the gutters of the lower part of Pinckney street be paved, under the direction of the Committee of the district, when Pinckney street. the street shall be put in order for that purpose.

Communication from the City City Marshal

Marshal, stating, that on the 24th ultimo, a case of small Small pox. Pox was reported, on board the Schooner Yaxall Capt Pratt, which arrived in five days from Halifax; a meeting of the consulting Physicians was had, who pronounced, that the student of said vessel of the name of Lewis, had the natural small pox, and advised that the vessel be sent down to perform quarantine; accordingly she was sent down to Hainsford Island, where she was purified, and the man taken out, and put in the Hospital on said Island where he now remains dangerously sick, as reported by Dr Smith, the Resident Physician, and that he fears he cannot recover, as he is a victim of putrefaction. —

Communication was received from Brookers

The Treasurer of M^{rs} Joanna Brooker's fund for the benefit of poor widows and sick persons, stating, that Robert New had paid and taken up his bond and mortgage, amounting to six hundred sixty six dollars and sixty seven cents principal thirty six dollars and sixty seven cents interest, amounting in the whole to six hundred ninety three dollars and thirty four cents. Read & committed to Abraham Welsh and Fenelly, to consider Report.

Benjamin Tucker, Auctioneers bond approved Sent to Treasurer. Auctioneers.

262.

Market.

Ordered, that old clothes be no longer permitted to be exposed for sale in the Market, or any of the squares adjacent, or the streets leading to the same.

Baldwin.

On the petition of Aaron Baldwin, Junr. Boston Ins. Co. in behalf of the Royalton fire and marine insurance company, Washington street, praying, that the old common sewer in Washington street, be taken up and relaid, and the entrance of said sewer opposite the Washington bank may be taken up and relaid, and the expense thereof, apportioned according to law, upon those who shall be benefitted thereby. Ordered, that notice be given to all persons interested, to appear before this board, on Monday next, four o'clock, P. M. and show cause, if any they have, why the prayer ~~thereof~~ said petition should not be granted, by publishing said notice in one or more newspapers in Boston.

Tombs.

Ordered, that the committee appointed to superintend the building of tombs, in the south burying place in Washington street, upon the terms and conditions as reported by the said committee, be authorized and empowered, to lay out and expend all money that may be received over and above the cost of building the said tombs, in ornamenting the said burying ground, under the direction of the committee & the Superintendent of burying grounds. Sent down for concurrence. Came up concurred.

Bronfield.

Law.

The board viewed Bronfield's lane. It appearing that notice has been given, to Alpheus Bigelow Junior.

Esquire, agreeably to the order of this board at the meeting of 263.
the board, on the twentieth ultimo, and no person ap-
pearing to object, thereupon resolved, that the safety and
convenience of the Inhabitants require that said lane should
be widened, and the same is laid out and widened in man-
ner following, to wit, beginning at the southerly corner of a
brick building, on the northeasterly side of said Bromfield's
lane, sixty one feet, eleven inches; southeasterly from Governor's
alley; and from thence in a straight line to the southerly
corner of a brick building, now erecting by Joseph Ballard,
sixty nine feet nine inches; thence in the direction to a
point on Washington street, four feet northeasterly from the
southerly corner of the brick building at the corner of said
Washington street and said lane, belonging to Stephen Wigels
Senior, Esquire, running on this line, thirty one feet, seven
inches; thence running southwesterly by a fence five feet, one
inch, to the present line of said lane; thence northwesterly,
by the present line of said lane, to the place of beginning.
Taking one hundred, forty five and a quarter square feet of
land from said Ballard; and one hundred, and eight square
feet of land from said Wigels, as per plan taken by S.
P. Fuller, dated September 1. 1827. —

Application of Waterson, Henry Co for leave, Waterson, Henry Co
to open Bath street for the purpose of repairing the boxes to their cellar. Bath st.
Read & granted, under the direction of the Superintendent of Streets.

Adjourned to Monday next four o'clock, P. M.

264.

Monday September 10th 1827.

Met according to adjournment.

Present. The whole board.

Julien

(On the requisitions of the Judge of Probate, for the County of Suffolk, requiring, that inquisition be made, and a Guardian appointed, according to law, for Harriet Julien, of this City, singlewoman, who has been represented to be a person, non compos mentis, and incapable of taking care of herself. Ordered, that the said Julien be notified to appear before this board, on Monday next, at four o'clock, P. M. and show cause, if any she have, why she should not be adjudged non compos mentis, that the same may be certified to the Judge of Probate aforesaid, that a Guardian may be appointed to said Harriet according to law.)

Penniman

Petition of Elisha Penniman, and others, praying, that a new common sewer may be constructed down West Centre street, to connect with the sewer in Cambridge street, and the expense thereof apportioned according to law, upon all those whose estates shall be benefited thereby. Read & thereupon ordered, that all persons interested be notified to appear before this board on Monday next, four o'clock P. M. and show cause, if any they have, why the prayer thereof should not be granted, by publishing notice in one or more newspapers printed in Boston.

Cartridges

Ordered, that Ald. Loring be a com^{ee} for the purpose of supplying Cartridges for the militia of this City, according to law.

Petition of Thomas Pennier & others, 265.

owners and occupiers of estates situated on Chambers Street, praying, that a new common sewer may be constructed from the head Chamber St. of Poplar street connecting the same with some sewer already laid. Read and thereupon ordered, that all persons interested be notified to appear before this Board on Monday next, four o'clock P.M. and show cause, if any they have, why the prayer ~~thereof~~ of said petition should not be granted, by publishing notice in one or more newspapers printed in Boston.

Petition of Edward Bell, and others, Bell

for leave to construct tombs in the new part of the north burying place on Paul street. Read and committed to Aldermen Funnell and Savage to consider and report. Tombs.

Communication of the Superintendent of Smith's

burial grounds, stating, that Martin Smith is desirous of purchasing a tomb at South Boston, that he proposes to pay fifty dollars down, and one hundred dollars on the first day of September next. Read and thereupon ordered, that said tomb be sold accordingly, and the deed be given when all the money shall be paid. Tomb sold.

Petition of John Coffin Jones, Esquire, Jones

praying, that Broad street, should be opened and laid out from the old north mills to Charles river bridge, and all the buildings and other obstructions removed therefrom conformably to the plan of 1806, and accepted by the Selectmen of Boston, in that year. And that the petitioner be relieved from the annual Bond debt.

266. rent of ten dollars, when he and others when buildings are on
said street shall set back said buildings to conform to the
line of the same. Read and committed to the Mayor, Alder-
men, Welsh and Savage to consider and report.

Shaw. The committee on the petition of
Leverett place, Samuel Shaw, and others, requesting the City to accept
Prospect street, ask leave to report, that
when the proprietors of estates bounding on the same shall
under the direction of the Surveyors of Highways make
suitable side walks, raise the streets to a proper level and
elevation, and round the middle of the travelling parts
with gravel to the acceptance of said Surveyors, then it
will be expedient for the City authorities to accept the
same. — Jeremiah S. Boies, per order
Read and accepted.

Smith. The committee on the petition of
Mill Pond st. Ebenezer Smith, praying, that the elevation of several streets
on the Mill Pond land, may be determined, respectfully
report, that they have attended the duty of fixing the ele-
vation of the several streets mentioned in said Smith's
petition, and by the careful examination of Stephen P. Fuller,
Surveyor, have determined the same, as by his return here
with will be more precisely apparent. Robert Emmelly, Chairman.
To the Committee of the board of Mayor and Aldermen,
to whom was referred the communication of M^r. Ebenezer
Smith of July 30th 1824. Gentlemen. According to your

directions I submit the following elevations and widths for Wf.
The side walks of streets referred to, in said communica-
tion. The edge stone on the southwesterly side of Merrimac Merrimac
street, at the intersection of the southeasterly side of Market st.
street, to be placed one foot, four inches below the top of
the hammered stone foundation of the brick building at the
corner of Portland and Market streets, on the northwesterly
side of Market street, belonging to Mr. Ebenezer Smith;
from thence to rise seven inches per hundred feet to a
point opposite the northwesterly corner of land belonging to
Mr. Ephraim Tufts, adjoining his distillery. The edge Charlestown
stone of Charlestown street, at the southwesterly side of the st.
bridge across the Canal, to be placed level with the top of
said stone foundation, and from thence to rise to the same
level with the edge stone of Merrimac street, opposite the
said corner of Mr. Tufts land, and on both streets to be
nine feet wide, with a rise from the edge stone to the line
of the street of three quarters of an inch to a foot. The Crop street
edge stone on Crop street, at the northeasterly side of the
bridge across the Mill creek to be placed two feet six inches,
below the floor of the brick house on the easterly side of Crop
street, and next the Mill creek, belonging to Mr. Smith, and
from thence to fall in the ratio of six inches per hundred feet,
to Pond street; the side walk on this street to be seven feet
wide and rise from the edge stone to the line of the street
three quarters of an inch per foot. The above levels to be fix-
ed with the understanding, that the City shall not be held
to fill up said streets, until they deem it necessary to

268. have the same. Your obedient servant. Stephen P. Fuller,
Surveyor. The foregoing report read and accepted, and
ordered accordingly.

Keene
Concert

Application of Arthur T. Keene, for
a license to give a concert at Concert Hall, this evening.
Read and the prayer thereof granted, on payment of two
dollars therefor.

Nolen

Application of Charles Nolen, Junior,
Solar Microscope, praying, that the license granted to him, for the exhibition of
the Solar Microscope, at Joy's buildings, may be extended to
the first of November, next. Read and the prayer thereof
granted.

Robinson

Communication of Messrs. H. Robinson
and Robert Barry Long, stating, that they have acquired from
the Boston Gas Light Company, "all their property, rights &
privileges, and are now preparing to commence their works,
for the purpose of supplying such citizens with gas, as may
be disposed to avail themselves of this economical, safe, and
advantageous mode of lighting, and praying, that a com-
mittee may be appointed to superintend their operations in
laying pipes in the streets." Read and committed to
Aldermen Boies, Alger and Savage, to consider & report.

Baldwin

It appearing to this board, that notice
has been given, on the petition of Aaron Baldwin, in behalf
of the Boulton Insurance Company, that a common sewer be
laid from Essex street, to extend southerly to the Washington

Bank, on Washington street, And now Mep.^r Hastings, Hastings 269.

and others, appear, and after a full hearing of the parties, it is ordered, that the prayer of said petition be granted, under the direction of the Mayor, and that the expense thereof be apportioned according to law, upon those whose estates shall be benefitted thereby.

Appropriation to defray the expense of a Snow Hill St. common sewer in Snow Hill street, laid by order of the City, in 1824, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount be collected of the several persons therein named.

Appropriation to defray the expense of a Bond St. piece of common sewer, in Bond street, laid by order of the City, in 1826, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount be collected of the several persons therein named.

Appropriation to defray the expense of a Friend St. common sewer laid by order of the City, in Friend Street, Portland St. the present year, for the benefit of certain lots of land situated upon Canal, Friend, Portland streets, made up and returned to the auditor of accounts. Read and accepted, and thereupon ordered, that the amount be collected of the several persons therein named.

Appropriation to defray the expense of a Cornhill common piece of common sewer, laid by order of the City, the present year, Washington St.

270. from Cornhill square, on Washington street to Court street, made up and returned by the auditor of accounts. Read & thereupon ordered, that the amount thereof be collected of the "Fifty apostles" for whose use the same was done.

Genl. Lyman

Application of Brigadier General Lyman, for the use of the whole Common on Tuesday the 25th instant, the day appointed by His Excellency the Governor for the inspection and review of the 3rd Brigade of the 1st division of Militia. Read and the prayer thereof granted.

Leary

Application of Alphus Leary in behalf of the committee of the Massachusetts Charitable Mechanic association, for the use of Faneuil Hall; on the fourth day of October, next, to celebrate the next bi-annual festival of said society. Read, and the prayer thereof granted.

Newman's

On application of Henry Newman, ordered, that the Mayor be authorized to discharge his mortgage on payment of the money due on the same.

Auctioneers

Andrew Brown & Ebenezer H. Stratton appointed auctioneers, place of business N. H. Kneels wharf.

David Stanwood, appointed an auctioneer, place of business Whitney's wharf.

Adjourned to Monday next, four o'clock P.M.

Monday September 1st 1827. 271.

Met according to adjournment.

Present. The whole board, except Aldermen Bellows & Welsch.

It appearing to this board, that Julien
notice has been given, to Harriot Julien, pursuant to an order non compos mentis.
passed at the last meeting, to appear at this time and show
cause, why she should not be declared non compos mentis,
pursuant to the requisition of the Judge of Probate of the
County of Suffolk, upon the application of Joseph Hunewell.
And now inquisition being had, and after the examination of
divers witnesses under oath, the Mayor and Aldermen are of
opinion that said Harriot is a person non compos mentis, and
incapable of taking care of herself and her property, and they
accordingly certified the same to said Judge of Probate, under
their hands, in order that a Guardian may be appointed ac-
cording to law.

It appearing to this board, that Dennie
notice has been given, in pursuance to an order passed at the Poplar street.
last meeting, on the petition of Thomas Dennie, and others,
praying, that a common sewer, may be constructed from the
head of Poplar street, connecting the same with some sewer al-
ready laid. And now no person appearing to object to the
same, it is thereupon ordered, that the prayer of said petition
be granted, and that the same be referred to the Mayor to see
it executed.

Francis Prentiss was nominated and Fireman
appointed a fireman of Ward N^o 10. Ward N^o 10.

272.

It appearing to this board, that Penniman notice has been given, in pursuance of an order, passed at the West Centre St. last meeting, on the petition of Elisha Penniman, and others, praying, that a new common sewer may be constructed, to run down West Centre street, to connect with the sewer in Cambridge street. And now no person appearing to object, it is thereupon ordered, that the prayer of said petition be granted, and that the same be referred to the Mayor, to see it executed. —

Creek
square

Agreement to defray the expenses of constructing a common sewer in Creek square, laid by the City, in the year 1826, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount be collected of the several persons and Corporation therein named.

Merchants Row
State Street

Agreement to defray the expenses of constructing a common sewer through Merchants Row and State Street, in the year 1826, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons and Corporation therein named, and that one third part of the expense be reserved to the City to be reimbursed by future entries.

Taxon & Co
Crop Street

The committee to whom was referred the petition of Nathaniel Taxon and Lebbeus Atelson, praying the direction of the Surveyors of Highways, in their building on that part of Crop Street, between Corn and Marginal streets,

reported, that having considered the subject and caused a plan 2/3.
of the street as it now exists, to be taken, they are of opinion, that it is not expedient for the Surveyors of highways to give any directions in the present state of the street, the larger part being still flats, as at the first settlement of the town.
Read and accepted.

The committee on the communication of the Treasurer of the Franklin fund, reported, that they have authorized him to invest six hundred dollars, in the office of the Massachusetts General Hospital life insurance company, subject to be withdrawn at the pleasure of the trustees.
Read and accepted.

Petition of Messrs Robinson and Robinson & Long to purchase or lease a lot of land on which to erect their Long gas light works. Read and committed to Aldermen Loring & Gas lights. Boies, with such as the Common Council may join, to consider, and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Gray, Russell and Mallett.

The committee upon the application of Robinson and Long, ask leave to report, that the operation of breaking Long up the streets in order to lay down gas pipes for lighting Gas lights the City be entrusted to the care of the Superintendent of streets, who shall exercise his best judgment to prevent the Citizens from being incommoded, as much as possible under the direction and advice of the committees of the districts through which

274 They may be laid. Jeremiah S. Boies, per order.
Read and accepted.

Rich street

Information having been given to, fire in, this board, that on the morning of Sunday, last, some evil disposed persons set fire to in Rich street, to a tar barrel and other combustibles, thereby causing an alarm of fire and exposing the City to great danger thereupon resolved, that the Mayor be, and he hereby is authorized to offer a reward of fifty dollars, for the conviction of the person or persons concerned, or in any way aiding in the said act or attempt.

Bell
Tombs

The committee to whom was referred the petition of Edward Bell, and others, for leave to erect or construct tombs in the North burying place Report, That the piece of land added to the North burying ground, at its southwest corner, is well calculated to afford accommodation to fourteen new tombs, and that before considering the application of the petitioners to purchase rights therein, it becomes necessary to consider the exposed situation of several tombs on the northeasterly part of said burying ground, running under Charter street; that it has long been thought desirable to lower the side of that street, by the wall of the burying ground, to which measure the only objection arose from the fact, that from twelve to sixteen tombs would thereby be wholly or partially destroyed, because they extend into the land which ought to be removed from one and a half foot to six feet, those nearest to the southeasterly corner, beginning at the

third or fourth northerly of the gateway on said street, being 275.
extended the least distance into the street; that the committee Bell
have examined the interior of said burying ground, with a Tombs.
view of accommodating the said tombs within the wall, in-
stead of outside, and without removal of any other kind, &
they are happy to inform the board; that in every instance it
may be done, without disturbing a single grave in that crow-
ded depository. the nearest approach to any one, being to one
a hundred and fifty years old; that your committee have
considered several modes of accommodating these tombs, without
removing them to the new ground, at the southwest corner
of which the two best seem to be, either bringing the tombs,
on the same level, within the old wall, for which purpose the
interval bank must be dug down; or making the tomb half
above ground, covered air tight, and having its entrance a
perpendicular door, as most of the new tombs, in Charlestown,
Dorchester and other neighbouring towns are built; and the
superintendent of burying grounds, to whose judgment is due
the highest regard on such subjects, gives the preference to
the latter mode, as least expensive and most satisfactory;
Wherefore your committee have arrived at the conclusion,
that no objection to granting the request of the petitioners
arises from the circumstances of the tombs projecting under
the street, in part of the northeastern line of the north bury-
ing ground; and they recommend the adoption of the
following resolution. Which is submitted. Robert Fennelly.

Ordered, that the Superintendent of the burying
grounds be directed to erect as many tombs, not exceeding

2/6. fourteen, as he can find purchasers for, in the corner of the North burying ground, formerly covered by the Gun house, taking care that the construction of said tombs shall not be undertaken faster, than purchasers shall appear to take and pay for them, at the rate of two hundred dollars each. The foregoing report, read & accepted, and ordered accordingly.

Sargent
Railway

The committee of the City Council on the petition of the committee of citizens, applicants to the Legislature for a rail way, respectively reports, That your committee, after a free intercourse with the committee of the citizens above mentioned, and also with the commissioners appointed under the authority of the Legislature on the subject of a Railway, having taken into consideration the various views of the relations and interests of the City naturally suggested by the proposed undertaking, came to the conclusion, that it would not be proper or expedient, for the City Council, to express any opinion, which might be construed into a desire to give a direction to the deliberations of the Commissioners, on the question of the route which ought to be selected, or to use any influence on the subject. In the opinion of your committee, the great interest of the City was, in this respect, coincident with that of the Country, at large, and would best be promoted by the selection of the best location. This question your committee apprehended ought to be left to the free and untrammelled decision of the Commissioners, after an examination of the whole

ground; and after, by an actual survey, having possessed them-
selves of an exact knowledge of all the relations connected
with the subject. Your committee therefore, having com-
municated these views, to the committee of Citizens, and the
Commissioners, terminated their interview with expressing their
opinion of the deep and general interest, in the ~~success~~ success
of this great undertaking, felt by the City Council as well
as by the Citizens, at large, and their belief that should
the proposed railway, either in its course, or at its termina-
tion, come in contact with any lands, of which the City
was proprietor, the principles on which the City Council would
be actuated, in such case, would be of a liberal charac-
ter, and in every respect coincident with the interest of
the undertaking, and promotive of its success. - All which
is respectfully submitted, by order of the Committee.

Josiah Quincy, Chairman

Read and accepted. Sent down for concurrence.

Came up concurred. —

Application of Mess^{rs} Coolidge, Poor and Head, for the use of the Hall over the New Market house, for the
sale of wool, on the sixteenth day of October next. Read and Market house
committed to Aldermen Boies and Wales to report the price they
ought to pay for the same.

Adjourned to Monday next 4 o'clock, P. M.

2¹⁸

Monday September 24th 1827.

Met according to adjournment.

Present. The whole board except Alderman Welsh.

Robinson & Long

Gas lights

Mill pond

Land

The committee of the City Council to whom was referred the application of Messrs Robinson & Long, for the purchase of a lot of land of suitable dimensions on which to erect their projected gas works, respectfully report, that they have had an interview with the gentlemen above named and by them are informed, that the ground the best adapted for their purpose and which they are desirous of purchasing is a vacant and unappropriated lot, situated on the south margin of the Canal, and otherwise bounded by Haverhill street, Traverse street and Market street, and containing by estimation about fourteen thousand square feet. Your committee after due consideration are unable to perceive any objections to the sale of this land, provided a just price can be obtained for the same; they would therefore recommend to the Council the appointment of a committee authorized to dispose of said land with a limitation respecting the minimum price only.

To this end they respectfully propose to the City Council the shaping of the annexed order. Wm. F. Long, per order.

Ordered, that a committee be raised with full power to sell to Messrs Robinson and Long all that piece of land lying on the northern margin of the Canal which is bounded northerly on Haverhill street; westerly on Traverse street and easterly on Market street, and southerly on the Canal provided a sum not less than one dollar

for each square foot, can be obtained for the same, and in 2/9.
the event of such sale being made, the Mayor is hereby
authorized to make and execute the usual conveyance.

Read and accepted, and thereupon ordered, that Aldermen
Loring and Boies, with such as the Common Council may
join, be a committee with full power to carry said report
and order into effect. Sent down for concurrence.

143. Reconsidered, ordered to lie on table vide proceedings next
meeting, Page 283.

Petitions of Lot Wheelwright and others, Wheelwright
and Francis J. Oliver, and others, praying, that Turnpike Oliver
street, at South Boston, leading to the Boston free bridge may Turnpike
be filled up and made passable. Read and committed street
to the Mayor, Aldermen Welsh and Loring, to consider &
report.

Petition of William Pelby, Esq. & Pelby
Manager of the Tremont Theatre, stating, that he has en- Tremont Theatre
gaged a company of performers, highly respectable for their, None filed &
talents and character, and that it is his intention to em- license issued.
ploy them in such representations as will be consistent
with the taste and moral feeling of the community.
- Iud. prays, that said Theatre may be licensed ac-
cordingly. Read and the prayer thereof granted so-
far as that said Theatre be licensed on the same rules
and terms as the other Theatres, until the tenth day
of January next.

Expense to defray the expense of constructing a small piece of common sewer laid by the City in Middle street, in the year 1824, made up and returned by the auditor of accounts. Read and accepted and thereupon ordered, that the amount thereof be collected of the several individuals therein named.

Lafayette Avenue

Expense to defray the expense of constructing a common sewer laid by the City, in the year 1825, in Lafayette Avenue, leading from Prince to Pond streets, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several individuals therein named.

Crop street

Expense to defray the expense of constructing a small piece of common sewer laid by the City in Crop street, in the year 1826, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several individuals therein named.

Richmond St

Expense to defray the expense of sundry repairs made by the City, on the common sewer in Richmond street, in the year 1826, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several individuals therein named.

Ordered, that the Superintendent 281.

of burial grounds, be authorized to make sale to Edward Bell. Bell, the right to erect a number of tombs in the north Tombs in North burying ground, where the gun house formerly stood, not burial ground: exceeding fourteen. he paying therefor the sum of fourteen hundred dollars, down, and to have seven months time for the purpose of building the tombs.

Petition of Daniel Colby, praying, Colby.

that the level of Prospect street may be determined, so Marked it. that he may be able to lay his side walk to the buildings which he is about erecting. Read and committed to Aldermen Boies and Wales, to consider and report.

Ordered, that the Mayor, Alder Voters men Belious, Wales and Savage, be a committee on the subject of making out the list of voters, with authority to grant assistance if it be found necessary.

Ordered, that the assessors be requested to make out the voting lists, by the first of December, conformably to the last valuation. Assessors.

The committee on the application Coolidge, Moor & Mep? Coolidge, Moor and Head, Auctioneers, for the Head use of the Hall over the new Market house, for the sale of wool, on the sixteenth day of October, next, reported, that the same be granted them, they paying therefor the sum of fifty dollars. Read and accepted.

(Moses Madley was nominated and appointed a measurer of wood and bark, to stand near West Boston bridge. —

Clerk of Town Hall Market
 Concerning Corey. Caleb Hayward, Clerk of Town Hall Market relative to the prosecution and conviction of Aaron Corey, for selling by false measures, and the summons to said Corey to appear and show cause, why the lease of the stalls in said Market house should not be forfeited. Read and committed to the Committee on the Market, to consider and report.

Bellamy. William Bellamy's bill for sundry repairs
 Deer Island: on Deer Island and the buildings thereon. Read and committed to Aldermen Bellows, Fennelly, and Wales, to consider and report.

Auctioneers. Frederick Whitney and James E. Cooley, appointed Auctioneers, place of business N^o 420 Washington street.

Foster. Copy of a writ or summons, which has been served on the Mayor for the City to appear and answer to the suit of Leonard Foster, at the next Court of Common Pleas, on the first Tuesday of October next. Read & referred to the City Solicitor.

Adjourned to Monday next, four o'clock, P. M.

Monday, October 1st 1827. 283.

Met according to adjournment.

Present. The whole board, except Aldermen Bellows & Alger.

The board reconsider their former Robinson & Long vote accepting the report of the committee on the petition of Messrs Robinson and Long, passed at the last meeting, and thereupon ordered, that the same be laid on the table.

Speciment to defray the expense of Henchman lane, a small piece of common sewer, laid by the City, in the year 1826, in Henchman's lane, made up and returned by the Auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named.

Ordered, that the Mayor be authorized to execute and deliver in behalf of this board a deed to Edward Bell, of the right to erect fourteen tombs in the new part of the north burial ground, according to the report of the committee on the petition of said Bell.

The committee to whom was referred the application of the Clerk of Ward N^o 10, for a trunk to keep the records of said ward, reported, that the only record of the several wards necessary to be preserved is and ought to be a substantial well bound volume, for the preservation of which a trunk would not be beneficial, and that it is not

284. therefore expedient to incur the expense for each ward
in the City. Read and accepted.

Shattuck

William Shattuck was nominated &
Wood measurer, appointed a measurer of wood and bark, to stand in Leverett
street near Canal bridge.

Smith & Thaxter

The committee of the City Council
who were directed to examine the claims of Messrs Smith
and Thaxter, for work alleged to have been done for account
of the City, have attended to that duty and ask leave to
report. That the claims of Messrs Smith and Thaxter are
founded on two accounts for work and materials done and
furnished to the Court house in Leverett street, from time to
time during the years 1824 & 1825, one of them amounting
to twenty eight dollars and fifty cents, is for painting, and the
other amounting to one hundred and seventy nine dollars and
twenty four cents, is for Carpenters work and materials, these
accounts have been laid before the Board of accounts and not
allowed, because they were not furnished with the proper
vouchers. Your committee after a careful examination of the
records of the City, have been unable to find, that authority
has ever been given to any committee or person to cause any
work to be done of the description charged in these accounts.
They have also appealed to the recollection of some of the
members of the Board of Aldermen of those years, but without
being able to obtain any satisfactory information on the sub-
ject - nevertheless they are fully satisfied the work has been

done, and provided the work was well done of which they, 285.
have no reason to doubt, there can be no objection to the
price charged, and as it appears to your committee, that
the work was necessary to the better accommodation of the
Court, and of such a character as would have been au-
thorized if a regular application had been made, they there-
fore respectfully recommend that the said accounts should
be discharged in the usual manner: H. F. Loring, per order.
Read and accepted. Sent down for concurrence.

Came up concurred.

The committee of the City Council Dir. H. of Industry.
to whom was referred a communication from the Directors of the
House of Industry, relating to the extension of the Wharf connected
with that institution, respectfully report, that they have as-
certained, that the wharf belonging to the House of Industry is ren-
dered useless for all the most important purposes of that estab-
lishment by a bank of mud and sand thrown up against
it, by the force of the sea, which has so much reduced the
depth of water around it, that loaded vessels cannot now
approach near enough to unload without being previously
lightened. To remedy this difficulty, it is proposed to extend the
present wharf in a northerly direction, one hundred and fifty
feet, in which operation a sufficient depth will be obtained
to admit of loaded vessels coming up to it at all tides.

The Directors propose to build the projected addition to their
wharf, which is a solid one, by driving piers at regular
distances from each other and connecting and covering them

286. in the first place with strong timbers, and lastly, with sand
Di. H. of Industry and gravel. in this way it is believed the occurrence, which
has rendered their wharf so useless will be prevented in
future and no further extension ever required. Now
committees are satisfied by the representation made to them,
by a committee of that board, that on the ground of econ-
omy this extension ought to be permitted, as in consequence
of the increased labour and difficulty in landing a freight
of wood they are compelled to give an additional price
of fifty cents per cord, so that an annual saving of more
than twelve per cent. on the whole cost of the improvement
will be made in the purchase of the article of fuel alone.
For these reasons your committee are of opinion that permission
ought to be granted to the Directors of the House of Industry
to extend the wharf connected with that institution in the man-
ner and to the extent required, and with this view they re-
commend to the City Council, the passing the annexed order.

J. F. Loring, per order.

Ordered, that the Directors of the House of Industry be
authorized to extend the wharf belonging to that institution in
a northerly direction one hundred and fifty feet, according to the
plan hereto annexed, and for the purpose of defraying the cost
thereof the sum of nine hundred dollars be taken from the
reserved fund and placed at their disposal, provided the funds
already assigned to them should be insufficient for this, in
addition to their current expenses. Read and accepted, &
the order passed. Sent down for concurrence.

3 Postponed indefinitely in Common Council.

Petition of Nathaniel Sherman & 28th.

Frederick Hughes, that a drain may be made in Belknap Sherman Hughes street, from Pinckney street. Read and committed to the Belknap street Mayor, to consider and report.

Petition of Asa Weatherbee to be Weatherbee, licensed to remove house offal. Read and the prayer there of not granted.

Communication of the City Marshal Bray

that John Bray, Esq. is about building on Margaret street. Margaret street. Read and committed to Aldermen Kennelly and Savages to consider and report.

Adjourned to Monday next 4th Clock P.M.

Special meeting.

Tuesday October 2nd 1827.

Present. The whole board except Aldermen Kennelly and Boies. --

Order of the Common Council authorizing the Treasurer to borrow any sum of money not exceed borrow money. ing forty thousand dollars, in anticipation of the tax of the financial year, commencing on the first day of May 1827, reimbursable at such times within said year, and on such terms and conditions as the committee of finance may approve.

Same m^d for concurrence.

Read and concurred.

Petition and representation of

Cushing Esq. Caleb Cushing, Executor of the last will and testament of Oliver Putnam, praying an abatement of his testator's taxes for the year 1826, he being taxed for double the amount of property he possessed; the petitioner stating that said Putnam was not an Inhabitant of this City, in said year, but was only temporarily a boarder for a short time; that he retired to a farm in the State of New Hampshire, where he died, in the month of July, of that year. Read and referred to the City Solicitor for the purpose of giving his opinion, as to the jurisdiction of this board, and whether it has cognizance of the subject.

Blossom street

Common sewer

Speciment to defray the expense of a common sewer laid by the City in the year 1825, in Blossom street, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named.

Burial grounds

Upon the representations of the superintendent of burial grounds—ordered, that ^{of the fence} the fence, which has been blown down be repaired by said Superintendent under the direction of Alderman Alger.

Adjourned to Monday next, four o'clock P. M.,

Monday October 8th 1827.

289.

Met according to adjournment.

Present. The whole board except Aldermen Bellows and Fennelly.

The undersigned, to whom the Cushing Esq.
Petition of Caleb Cushing, Executor of the will of Oliver Putnam, praying for an abatement of taxes was referred, respectfully reports, that in his opinion, the authority to abate taxes in certain cases, is one of those powers, formerly of the Court of Sessions, which by the statute of 1821, Chapter 109, are transferred to the Mayor and Aldermen. The statute of 1785, Chapter 50, by which an appeal from the decision of the assessors to the judgment of the Court of Sessions is granted, provides however that no person who neglects or refuses to bring in a list of his estate and effects to the assessors, as directed in said statute, shall be permitted to make application to the Court of Sessions, for an abatement, unless he shall make it appear to the Court, that it was not in his power to deliver to the assessors a list of his estate &c. at the time appointed for that purpose. On this point the undersigned is of opinion, that the Legislature did not intend to limit the jurisdiction of the Courts to cases of physical impossibility alone, but to give them power to afford relief to all persons who may have been unreasonably taxed, provided they have not been guilty of gross negligence in omitting to hand in a list of their estates. Assuming the statements of the petitioner in this instance to be true, the undersigned is of opinion, that this is one of

290 The cases intended to be provided for by the Legislature,
and within the legal jurisdiction of the Mayor and
Aldermen. Charles P. Curtis, City Solicitor.

Read and together with the said petition com-
mitted to the Mayor, Aldermen Welsh and Savage
to consider and report.

Boston free
bridge The committee on the Boston free
bridge, are of opinion (in which Mr. Burr the Engineer
concur) that to facilitate and render safe the passage of
loaded vessels through the draw, it is expedient the pier or
wharf on the east side of the bridge shall be built on
the north side of the draw, which opinion was voted on
the 13th of August last, and communicated to the Cor-
poration. Notwithstanding they have thought proper to build
a wharf on the southside of the draw. Your committee
therefore ask leave to report, that if by experience it shall
be found expedient to build a wharf on the north side
of the draw, the City government will not consider them-
selves bound to accept the bridge, until the said wharf
shall be so built by said Corporation.

Jeremiah S. Boies, per order.

Read and accepted. Sent down for concurrence.

2³/₄. Laid on table in Common Council.

Brewer Ordered, that Aldermen Boies & Wales be
High street: a committee to consider & report, if any sum ought to be al-
lowed to Thomas Brewer, for his land taken to widen High street.

Order of the Common Council at 291.

pointing Messrs Williams, Simonds, and Gould, with such as Real Personal
the board of Aldermen might join, a committee to ascertain estate of
the condition of the disposable real and personal property City
of the City, and to recommend such measures for the dis-
posal and improvement of the same, or of any part thereof,
as they may deem expedient. Came up for concurrence.
Read and concurred, and the Mayor and Alderman
Living are joined.

The committee of the City Council Mercantile
to whom was referred the communication of the Mayor, on Wharf Corp:
the subject of a renewal of negotiation with the Mercantile
wharf Corporation, and who were authorized to receive any
propositions the Mercantile Wharf Corporation may be disposed
to make and lay the same before the City Council, whenever
they shall be of a character in the view of that committee
coincident with the interests of the City, respectfully report,
That, having received and discussed various propositions of the
Mercantile wharf Corporation, on the subject of the two proposed
streets called Marginal and Second streets, and also relative to
the respective rights of flats, dockage, and wharfage, and to
the principles by which they should be regulated by and
between the City and the said Corporation, and the said
negotiation has eventuated in an agreement, embracing all
the topics, which, with a plan illustrating the same, is
herewith submitted for the consideration of the City Council;
and in conformity with their authority, the said committee

242 now lay the said agreement before the City Council, recommending their acceding to it, as being in their opinion coincident with the interests of the City. By order of said committee,

Josiah Quincy, Chairman.)

Read and unanimously accepted in Common Council, leame up for concurrence. Read and concurred, and thereupon ordered, that the Mayor be authorized and requested to execute the contract accordingly.

Yeas & nays

Upon accepting the foregoing report and concurring with the Common Council, the yeas and nays being required were taken as follows viz: Yeas. The Mayor, Aldermen Boies, Wales, Alger and Savage. 5.
Nays. Aldermen Welsh and Loring. 2.

Greenough

Washington

Communication of David Greenough,

stating, that he with others have verbally agreed to purchase the estate situated on Washington street, belonging to the heirs of M. Chamberlain, on the condition, that if the City of Boston will pay three thousand dollars for the land they may want to widen said street even with Penniman's store, in case the City agree to pay that sum the purchasers are bound, otherwise no bargain will be made. Read and committed to the Mayor & Aldermen Bellows and Welsh, to consider and report.

Carnegie

Castle St.

Petition of Daniel Carnegie, in behalf of

the proprietors of land lying between Castle street and the City line, near the Franklin School house, stating, that they are

raising the rear of their lands, and as they are connected 293.
with said street, they are desirous, that the sluice now on
said street, and now passing through the dyke may be re-
moved on the line as agreed on by the City, the Boston
and Roxbury Mill Corporation, and the said Proprietors, and
that it is their opinion, that it is for the interest of the
City, as well as all concerned, that the said sluice way
should be removed on the line so as to receive the common
sewer through said street. They therefore pray, that the same
be removed accordingly. Read and committed to Aldermen
Bedlow and Alger, to consider and report.

Petition of Samuel Stearns, & Stearns
others, for leave to dig a well in Snow Hill street, and Snow Hill St.
that they may convey the water therefrom to their several
estates on the Mill Pond land. Read and committed to
Aldermen Fennelly and Savage, to consider and report.

Petition of David Putnam, & Putnam
others, praying, that a common sewer be laid in Second Street Second St.
Read and thereupon ordered, that all persons interested be
notified to appear before this board, on Monday next, four
o'clock, P. M. and show cause, if any, they have, why the
prayer of said petition should not be granted.

Application of the Rev. H. W. Wilbur, Wilbur
for a license to deliver a course of Astronomical lectures. Read & Astronomical lectures
the prayer thereof granted.

204.

Taylor & Fitch
Brighton St

Resolved, that whenever Charles Taylor and Jeremiah Fitch, Esquires shall release to the City, the land belonging to them included in Brighton street, between the fences as they now stand, then this board will discontinue those parts of that street inclosed within the fences of said Taylor and Fitch.

Ann street
Common sewer

Resolved to defray the expense of a common sewer, laid by the City, in the year 1825, in Ann street, and down Sprague's wharf, made up & returned by the auditor of accounts. Read and accepted, & thereupon ordered, that the amount thereof be collected of the several persons therein named.

Rowe & Essex
Common sewer

Resolved to defray the expense of a common sewer, laid by the City, in the year 1826, in Rowe and Essex streets, made up and returned by the auditor of accounts. Read & accepted, & thereupon ordered, that the amount thereof be collected of the several persons therein named.

Washington St
Common sewer

Resolved to defray the expense of a common sewer, laid by the City in Washington street near School street, in 1827, made up & returned by the auditor of accounts. Read & accepted, & thereupon ordered, that the amount thereof be collected of the several persons therein named.

State St.
Common sewer

Resolved to defray the expense of constructing a common sewer, from the City bank in State street to con-

nect with sewer at the junction of State Street & Merchants 205.
Now made up and returned by the auditor of accounts. Read &
accepted and thereupon ordered, that the amount thereof be
collected of the several persons therein named.

Ordered, that the Mayor be and Hatch
he is hereby authorized to sell and convey to Oliver Hatch, Cross Street
the exclusive right to take water from the City's well in
Cross Street for the consideration of three hundred dollars the
City reserving the right of using the water in case of fire.

The committee to whom was re- Payner
ceived the memorials of William Payner, President and in behalf Boston Mill Corp,
of the Boston Mill Corporation, report, that they have had the
subjects mentioned in said memorial under consideration and have
had frequent interviews with the said Corporation, and its agents
and have come to the following results. —
1st In order to ascertain whether the mortgage made by the said
Corporation to the City of Boston in October 1821, the conditions
of which is, that the said Corporation should finish the streets on
the land made in the Mill Pond, it for having, as is provided in
the articles of agreement made and executed in 1807 & 1808, by
the proprietors of the Mill Pond, and the town of Boston should
be discharged, for the reason that the Mill Pond Corporation has
performed their part of the agreement, the committee requested
Stephen P. Fuller and Enoch Patterson, to examine the streets
which the Corporation allege to have been made according to the
letter and spirit of said agreement and report, whether said

296. streets have been made, and in case they should not have been
Payne, finished according to said agreement, to report what they should
Division Mill etc. find necessary to be done, to make them so. This service has
been performed by those gentlemen, and their report is herewith
annexed, and this committee are of opinion that when said
streets shall have been completed in the manner pointed out
in the report, that the Mayor should be authorized and
required to discharge said mortgage deed. —

2nd On the subject of the Canal walls, the committee are
of opinion that they were not made according to the terms
of the contract of 1801 & 1868, and that they should be taken
up, and laid anew, according to the terms of those contracts, un-
less the said Corporation should purchase the land on the Canal,
which belongs to the City, at one dollar per foot, the number of
feet being fourteen thousand seven hundred. The committee
therefore recommend the adoption of the following resolve, viz:

Resolved: That if the said Corporation shall signify their agree-
ment to pay the sum of one dollar per foot for said land
on said Canal as above mentioned on or before the eighth
of October, current, the Mayor is hereby authorized to make
and execute a deed of the same to said Corporation or their
agent, receiving the cash on delivery of the deeds, or such
security as he and the Board of Aldermen may see fit,
for payment of the same and interest not exceeding five
years, from the date.

3rd That the suit now pending in behalf of the City
against said Corporation for the expense of making a drain
through Bond street and the general question of the liability

of said Corporation to make drains through the land which may 20%
be made from time to time in the Mill Pond, according to Payne,
the terms of the contracts of 1807 & 1808, be referred to three Boston Mill Corp.
Commissioners to be appointed by the City and the Corporation.

Thomas Welsh, Junior, for committee.

To the committee, Gentlemen, The Mill Pond Corporation
have filled up Haverhill street, on the Mill Pond Land to Haverhill st.
the level fixed for the edge stones; but as the bottom is
rather soft in some parts, it will probably settle more than
the other streets; it is I believe filled with dock mud to
within about two feet of the top, and above that with good
earth; it is now however somewhat out of repair, and will
want some work done upon it, in filling up the ruts & leveling
it off. Beverly street, is filled up to within one foot ten Beverly street.
inches at the southeasterly end, two feet six inches at Traverse
street, and two feet nine inches at Causeway street; of the level
fixed for the edge stones, and will require filling up about ten
inches on an average, to be a sufficient height to pave upon.
This street appears to be filled with very good earth, and
on a good bottom. Medford street is filled up to within Medford street
two feet ten inches at the southeasterly end, and two feet nine
inches at the northwesterly end of the level fixed for the edge
stones, and will require filling up about sixteen inches to the
height sufficient to pave upon, filled with good earth on a
good bottom. Cooper street is now filled up to about the Cooper street
present levels of Bond and Charlestown streets, and will want
raising but very little to be of a sufficient height to pave
upon. Thacher street, is also raised to the present levels of Thacher street.

298. Bond and Charleston streets, and will want raising about one foot to be sufficient for paving; they are both filled up with good earth on a good bottom. Traverse street is now filled up to within two feet ten inches at the northwesterly end, two feet six inches at Beverly street of the level fixed for the edge stones, and at Haverhill street up to said level, and will require to be raised about one foot on an average for about two thirds of the length of the streets to be of sufficient height for paving; it appears to be filled with good earth and the northwesterly part on a good foundation, the part next the Canal being rather softer. The above refers to that part of the streets appropriated for the carriage way, the side walks not being so high; but if the same condition is annexed to the acceptance of the streets as is annexed to Charleston and Causeway streets, that the abutments shall be held to fill up the side walks, without expense to the City it will not be necessary to fill them up at present. —

Stephen P. Fuller, Surveyor.

Read and accepted, in Common Council, and the resolve passed.

Came up for concurrence.

Read and concurred.

corporation
accept
A communication from William Minot, Esquire, Clerk of the Boston Mill Corporation, inclosing a vote of said Corporation, that they accept the offer of the City for the purchase of said piece of land according to the terms of said resolve, & will make payment therefor on the delivery of the deed, on such terms as the Mayor and Aldermen shall see fit.

Read and accepted.

The committee to whom was 299.

referred the report of the City Marshal, relative to John Bray's building on Margaret street, report, that having examined the ground alluded to, in company with Mr. Fuller, the Surveyor, they think the interest of the City requires that on the southwesterly end of said piece of land eleven inches in width should be taken to widen the street, and two inches at the northeasterly end, which will prevent an unsightly & inconvenient jog in Margaret street, and that Mr. Bray is dissatisfied with such a quantity of his land being taken, as he thinks it will be disadvantageous to his house to be built on said land. Robert Fenmelley, Ch. committee.

Read and accepted, and thereupon resolved, that the whole board will meet in said street, tomorrow morning, nine o'clock, for the purpose of considering the expediency or necessity of widening said street, by taking a piece of land belonging to said Bray, for that purpose; and that said Bray be notified accordingly.

Adjourned to that time and place accordingly.

Tuesday October 9th 1827.

Met according to adjournment.

Present The Mayor, Aldermen Bellows, Fenmelley, Savage.

The above named Gentlemen, together with John, Margaret St. Bray, Esq. the owner of the land, viewed Margaret street; but there not being a quorum present, adjourned to Monday next 11 o'clock p.m.

Monday October 15th 1827.

Met according to adjournment.

Present. The whole board except Alderman Welsh.

Mill Pond
streets.

Stephen P. Tuller, report, that he had agreed to the directions of the Mayor, placed stakes on Beverly, Medford, Thacher and Travers streets. The tops of which are eighteen inches below the levels fixed for the edge stones of those streets, and it will be necessary to raise the surface of the travelled part of those streets even with the tops of those stakes in order to make them sufficiently high to have upon whenever the streets are finished. Fairhill and Market streets are above the levels required for paving, and Cooper street about the right level. The side walks will be required to be filled up to the level of the edge stones to be fit to have with bricks, but that he had not placed any stakes at those levels as it is proposed to hold the ribbons to fill up those parts of the streets.

Read and accepted, and thereupon ordered, that the same be committed to the Mayor, Aldermen Welsh & Wales, to carry the same into effect.

Oliver
Committee.

The committee on the petition of Francis J. Oliver, and others, praying that Turnpike Street, at South Boston may be made and finished, in such manner as the exigencies of the public most obviously require, respectfully report, that having attended to the subject of the said petition they find, that the new bridge now

building to South Boston, does not abut on the margin 301.
of the original beach, but on an abutment or embank- River,
ment several rods north of the original margin of said Turnpike St.
beach, whereby a hollow is formed between said embank-
ment, and the line of the original beach, which is a bond
at high water four hundred and fifty feet long and fifty
feet wide, and to fill up the said street to a level, one
foot above the top of the sea wall, on the easterly side
of the causeway leading to the new bridge will take
nine hundred and sixty squares of earth, as appears by
Mr. Tricors statement annexed to this report.

By the original act annexing South Boston to the
town of Boston it is provided, "That the town of Boston shall
not be obliged to complete the streets laid out by their
selectmen, pursuant to this act sooner than they may
deem it expedient so to do." In all cases of new
streets made, or filled up in other parts of the city,
the rule and practice of the board of Surveyors of high-
ways is that whenever the owners of the adjoining land,
or the persons interested in such new street shall make
the same fit for having, that then, and not before, such
street is accepted by the board. The great value
which will be added to the adjoining land, in conse-
quence of the finishing the proposed street, seems to place
this street within the same principle of reason and
equity, which is applied to all other streets as above
mentioned, and your committee are therefore of opinion
that whenever the same is made and finished to the

302 acceptance of the Surveyors of highways, for having
that it might be received, and even after recognized
as one of the public streets of the City.

By order of the Committee. Josiah Quincy, Chairman,
Read and accepted.

Pulnam

It appearing to this board, that
notice has been given on the petition of David Pulnam
and others, that the common sewer in Second street
may be taken up and relaid and the expense thereof,
apportioned upon those who shall be benefited thereby. And
now after a full hearing of the parties it is thereupon
ordered, that the prayer of said petition be granted, the
work to be performed under the direction of the Mayor.

Distil house
street.

Appropriation to defray the expense of
constructing a common sewer laid by the City, in the
year 1827, in Distil house street, made up and returned
by the Auditor of accounts. Read and accepted & thereupon
ordered, that the amount thereof be collected of the several
persons therein named.

Sudbury, Portland
Market St.

Appropriation to defray the expense of con-
structing a common sewer, laid by the City, in the year
1827, in Sudbury, Portland, and Market streets, made
up and returned by the Auditor of accounts. Read and
accepted, and thereupon ordered, that the amount thereof be
collected of the several persons therein named.

The committee on the petition of 303.

Daniel Carney, praying, that the sluice way, leading through the dyke on Castle street may be removed on the line so as to receive the common sewer through said street, reported, that it is expedient to permit the petitioners to remove said sluice way, at their expense, under the direction of the street commissioner.

(Read and accepted).

Petition of William Crombie, and Crombie others, praying, that Cambridge street, between Temple street and West Boston bridge, may be repaired and made more safe for traveling. Read and committed to Alderman Walsh, being to consider and report.

Communication of the City Solicitor, City Solicitor, relative to a prosecution and recovery of a fine against Hershai Rice, Trucks and Co. for suffering his trucks and carts to remain in Charles street incumbered streets, during the night, and inclosing five dollars, one half of the penalty, and suggesting the expediency of passing an ordinance upon the subject. Read and committed to the Mayor to consider and report.

Richard Pile, licensed as an Auctioneer, Auctioneer, place of business Washington street, opposite Washington bank.

Adjourned to Monday next, four o'clock P.M.

Monday October 22nd 1821.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

Cushing
Esq.

The committee of the board of Aldermen, to whom was referred the petition of Caleb Cushing, Esq. praying for an abatement of taxes, on the estate of Oliver Putnam, deceased, to whom he is Executor, on the ground, that such abatement was unreasonable, & that it was not "in the power of the said Putnam to deliver to the assessors respectively, a list of his rateable estate, at the time appointed for that purpose" having taken the subject into consideration, and having also considered the opinion of Charles P. Curtis, Esq. City Solicitor, "that this is one of the cases intended to be provided for by the Legislature and within the legal jurisdiction of the Mayor and Aldermen" respectfully report, that for the reasons stated in the opinion of the City Solicitor, the said petition be so far sustained as that the said Caleb Cushing shall have a hearing before this board, and they recommend that he have notice, that this board will hear evidence in support of the facts stated in his said petition on Monday the 29th instant at four o'clock, P. M. accordingly.

All which is submitted, by order of
the Committee. Josiah Quincy, Chairman.

The foregoing report read and accepted, &
the order passed accordingly.

305.

The committee to whom was

referred the petition of John D. Williams, and others, praying Williams that a new street may be laid out, from Pleasant street, New street to Common street, according to a plan accompanying and annexed to said report. Report that they have fully ~~fully~~ heard the petitioners and carefully examined that part of the city, and the estates through which it is proposed to carry said street, and are of opinion, that the public convenience, and the safety of that part of the city, from danger from fires, would be greatly promoted by the laying out of a street, according to said plan; and therefore recommend the adoption by the City Council of the following resolve viz:

Resolved, that whenever the said petitioners, or others, shall present to the Surveyors of highways, a street of the length and breadth of that laid ~~out~~ down on said plan, extending from Pleasant street across Warren to Common streets, and in a condition for having, that the said Surveyors be requested to accept the same, and to pay to said petitioners, or others, the sum of four thousand five hundred dollars. T. Welsh, Jr. for y. Com^{ee}

Read and accepted, and the resolve passed.

Sent down for concurrence.

23 Laid on table in Common Council.

Loammi Crosby and James Dugan Firemen were nominated and appointed members of the Company, Ward (N^o 3). of men in Ward N^o 4.

Brewer
High st.

The committee on the application of Thomas Brewer, for compensation for land taken to widen High street, are of opinion, that he is entitled to one dollar, the square foot for land thus taken, with one years interest thereon, being three hundred and eleven feet. The whole amounts to three hundred, twenty nine dollars & sixty six cents.

Read and accepted.

Freeman's
Heirs.

Report of referees in the case of the heirs of Watson Freeman against the City, for a breach of covenants contained in a deed from the Selectmen of Boston, to Jonathan Loring Austin and Benjamin Austin dated 26th April 1802. Read and committed to the Mayor to consider and report.

Coolidge, Poor
Read

Petition of Coolidge, Poor. Read to hire the Hall over the New Market house, on a lease from one to three years. Read and committed to the Mayor, & Aldermen Loring and Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Mep^r Dan. Russell, Parker (Waid 5) and Ward.

Harris.
Lewis

The committee to whom was referred the petition of Isaac Harris, as agent of Daniel T. Lewis, praying compensation for damages, occasioned to him by carrying a drain through a passage leading from Ann Street to

the sea: report, that in their opinion said Lewis has 307.
no just claim for compensation and has sustained no
damage? (Read and accepted.)

Application of Samuel Mearns, Mearns, Goodwin
Thomas Goodwin and Thomas French, for leave to take a French
suction from a well on land on which the Rev. & Mr. Knowles' Thacher street
meeting house stands and carry the same across the street
to their houses on Thacher street. The board grant the
applicants permission to carry the same across the street to their
estates on Thacher street, under the direction of the Super-
intendent of streets.

Copy of Petition of John Stratton, Stratton, Merrill
John A. Merrill and James Watten, that a trial may be Patten.
had at the bar of the Court of Common Pleas, and that a Merchants Row.
jury may be empanelled to assess and award the dama-
ges (which they allege they have sustained) in consequence
of the Mayor and Aldermen having taken a certain store
and land of which they had a lease to widen Merchants
Row, in the year 1826, and the order of Court thereon.
Read and thereupon ordered that the same be referred to
the City Solicitor to attend to the subject before the said
Court.

Petition of Henry Hubbard, Hubbard
Praying, that measures may be taken to remove the carriages Hubbard
which stand in front of their houses on Common street, near
Esmond Thatch

308. The Tremont Theatre, and suggesting the little mall as a proper place for them to stand on play nights. Read and committed to the Mayor, Aldermen Welsh and Savage, to consider and report.

Guild & Brown,

Hancock &

Summer Street

Specimens on Benjamin Guild, Esq. and Mr John B. Brown, for their entries into the French Street common sewer, from their houses on Summer Street made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the above named persons accordingly.

Winter Street

Common Sewer

Specimens to defray the expense of constructing a common sewer laid on the City, in the year 1827, in Winter Street, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named.

Blanchard &

William Temple

Summer Street

Specimens on Edward Blanchard & Pinckas Upham, for their entries into the common sewer in Temple Street, from their houses on Temple and Summer Streets made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered that the amount thereof be collected of the above named persons accordingly.

Cutter Blanchard

Hannou St

Specimen on Messrs Cutter Blanchard for an entry into the common sewer from their estate on Hannou Street made up and returned by the auditor of ac-

counts. Read and accepted, and thereupon ordered, that the 300.
amount thereof be collected of the aforesaid persons accord-
ingly.

Augustus Story, nominated and appointed Auctioneer,
in Auctioneer's place of business, Washington street.

Adjourned to Monday next, four o'clock P.M.

Monday October 29th 1827.

Met according to adjournment.

Present The Mayor, Aldermen, Lorins, Kennelly, Boies, Wales,
and Savage.

The committee of the City Council, on Land & sale
the subjects of the disposable real and personal property of the
City, and who were authorized to recommend such measures for
the disposal or improvement of the same, having attended to that
subject, respectfully report, in part, That the City is proprietor
of the following pieces of land, situated in different parts of it,
which in the opinion of this committee, it is the interest of
the City to sell, in whole or in part, according as to a com-
mittee of the City Council, authorized for that purpose, shall
seem expedient viz: 1st A piece of land, situated west of
Boylston street, and of the northerly part of Pleasant street, &
the southerly of a line drawn parallel to the Mill dam, &
thirteen hundred and fifty feet distant therefrom. As per plan
marked A. This piece of land contains one hundred and
twenty six thousand square feet, and is capable of being laid

310. out into streets, and lots, advantageously, and although, after
Real & personal as it is thus laid out, it may not be expedient, to offer the
late of the City whole for sale, immediately, yet, it is expedient, in the
opinion of this committee, to lay the same out, & commence
sales of it, under the direction of a committee. It may be
proper here to observe, that the space proposed to be thus put
in a state for sale, does not interfere with the Common, but
is that portion of the public lands, which have been always
deemed capable and proper to be sold, as not lying within the
north and south lines extended of the Common. —

2nd Two pieces of land, lying on both sides of South Bridge
street, with the flats belonging thereto. As per plan marked B.

3rd A lot of land on Temple street. As per plan marked C.

4th The lot of land on Common street, on which the old
Franklin School house is situated. As per plan marked D.

The location, extent, and general relations of these pieces of land
respectively will be better understood by a reference to a plan
of each, which is herewith submitted. And your committee
recommend, that a committee of the City Council, be appointed
with full authority, to cause each of said lots to be laid out
and sold, entire, or in part, at their discretion, at public auc-
tion, and on such terms of payment as they may deem ex-
pedient, and the Mayor be authorized, to execute such deeds
as the said committee may direct. All which is respectfully
submitted, by order of the committee —

Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the Mayor
Aldermen Loring and Hoies, with such as the Common

Council may join, be a committee to carry the same into 311.
effect. Sent down for concurrence.

13. Laid on table in Common Council. —

The committee on the Market who Corey
were directed by this board to examine the case of Aaron Corey, Market,
who had been convicted in the Police Court of having unlaw-
ful measures, at the stall occupied by him in the Market
House; with a view to a decision on the expediency of re-
moving him from the same. They have attended to this
duty and respectfully ask leave to report, that they caused
said Corey to be notified, of the purpose of their appointment,
and directed him to appear before them, and shew cause, if
any there was, why the stall occupied by him, should not
be taken from him; he accordingly appeared at the time
and place appointed, bringing with him a great number of
witnesses, many of whom the committee have carefully ex-
amined as they deemed necessary to enable them to form a
correct opinion of the case. It was admitted on the
part of the accused, that he had made use of measures
not made conformable to the standard prescribed by law;
but he denied that he had done so, with the knowledge
that they were unlawful or that he was under the obliga-
tion to have them sealed; he stated that he had caused his
name to be branded on the measures immediately after he
had purchased them, and that he had bought as well as
sold by the same. On these facts he relies for his justification

312. and they were all in the opinion of the committee, satisfactorily proved. To the many questions put to the several witnesses regarding the character of Mr. Corey, the answers were direct and substantially the same, viz: That he was an honest and industrious man; correct in all his habits and of a quiet and peaceful disposition. The whole committee are agreed in opinion that Mr. Corey has been legally convicted of having used unlawful measures; but that he did so without knowing they were unlawful, and that he is entirely innocent of any fraudulent intentions, as far as it appears to this committee; they therefore recommend, that no further proceedings be had in the case, but that he be allowed to remain in quiet possession of the stall now occupied by him; and this they do in the fullest confidence that no similar complaint will again be preferred against him.

John T. Loring, for order

Read and accepted. —

Boston Mill Corp.

Communication from William Minot, Esquire, Clerk of the Boston Mill Corporation, inclosing a copy of a vote of said Corporation, declaring, that if the City government will discharge the mortgage made by said Corporation to the City, said Corporation will pledge itself to perform in good faith within one year, from the date of said vote, all the stipulations of the Corporation, contained in the original indentures, between the Corporation, and the Inhabitants of Boston, in relation to the streets, not already accepted by the City. Read & com.^d to the Mayor, Ald. Melh. Savage, to consider Report.

Petition of Henry Alline Esquire, 313.

Register of deeds for the County of Suffolk, stating, that in his (Alline) opinion there are sundry improvements necessary to be made, Register of deeds in his office; to secure these records from destruction by fire or Ancient records, any other accident; he further states that many of the ancient volumes with the indices relating to them are in a state of great decay, and will be totally lost, unless some means are taken for their instant preservation; under these circumstances, he has deemed it his duty to call the attention of this board to the subject, to avoid any injury which might otherwise arise to the County beyond his power to prevent. Read and committed to the Mayor and Alderman Savage to consider and report.

The board according to apigument Cushing Esq. look into consideration the petition of Caleb Cushing, Executor Tax abated, of Oliver Putnam deceased, praying for the abatement of the tax apowed on said Putnam, for the year 1826, for reasons stated in said petition; and after hearing the said Executor, and examining a witness under oath, the following order was passed. viz. It appearing to this board, that Oliver Putnam Esq. late of this City, was rated more than his proportion of the City tax for the year 1826, according to the rules given in the acts of the General Court, for such apigement, viz. in the sum of one hundred and forty dollars; and it also appearing to the satisfaction of this board, that it was not within the power of said petitioner to deliver to the assessors of said City, a list of his rateable estate, at the time appointed for that

344. *purposes* Thereupon ordered, that the said sum of one hundred and forty dollars, be abated from the tax of two hundred, eighty one dollars, and fifty cents, apayed on said Paluanes for the year 1826, of which the Treasurer of the City is hereby directed to take notice and govern himself accordingly.

c. purposes.

Ordered, that Aldermen Wales and Savage, with such as the Common Council may join be a committee to consider and report, whether any and what amendments are necessary in an order passed the sixth day of November, directing the appees to furnish in the month of April annually, a list of all the names of persons and partnerships in the City, who were taxed the preceding year for personal property to the amount of five thousand dollars and upwards. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Lodge, Hallet and Dyer.

Adams

occupants of Market house.

The committee to whom was referred the petition of Thomas Adams, and others, tenants of the Market house, for a reduction of their rents, reported, that it is inexpedient to reduce the rents as prayed for by the petitioners. Read & accepted. Sent down for concurrence.

Came up concurred.

Auditor of acc^{ts}

Auditor of accounts exhibit of the amount of appropriations, and the balances, which remain unexpended.

Read and sent down.

Petition of Joseph B. Smith, 315.

praying, that he may be appointed a public weigher of hay and merchandize at his balance near Foster's wharf, which he has recently erected, being ignorant at that time of an existing law, prohibiting his using it. And also praying that his apparatus may be taken by the City, at a fair valuation. Read and committed to Aldermen Boies & Wales to consider and report. Smith Scales for weighing.

Petition of Samuel Thaxter and Thaxter

Adam M. Thaxter, for remuneration of damages occasioned by the lowering Pinkney street, in the year 1826, under the direction of the Surveyors of highways. Read and committed to Alderman Welsh and Loring, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Mep^r Phillips, Bradlee, Loring. Pinkney St.

Ordered, that Aldermen Bellows & Welch Alger, be a committee to consider and report upon the expediency of providing a watch house at South Boston, also upon the expediency of continuing the Watch there during the winter season. South Boston

Petition of William Wordman, praying, Wordman that the common sewer in Hanover street near its junction with Elm. Hanover St. street, may be repaired. Read & com^d to the Mayor, to consider report.

Adjourned to Monday next, four o'clock P.M.

Monday November 5th 1827.

Met according to adjournment.

Present The whole board, except Aldermen Bellows & Alger.

Boston Mill

Communication of William Minot, Esquire,

Corporation
streets.

Clerk of the Boston Mill Corporation, inclosing a copy of the vote of the Directors of said Corporation, viz: "At a meeting of the President and Directors of the Boston Mill Corporation, this fifth day of November, A. 1827. The report of Stephen P. Fuller, Esq. City Surveyor, dated October 13. 1827, relative to the height and level of several streets on the Mill Pond, communicated by the Mayor in his letter of the 20th October, last, being read & considered thereupon, Voted, that if the City government will discharge the mortgage made on the fourth day of November, eighteen hundred and twenty four and recorded Lib. 294 fol. 25A, with Suffolk deeds, to the City, by the Corporation, for the performance of the stipulations contained in the original instrument between this Corporation, and the Inhabitants of Boston, in relation to the streets already accepted; that the said Corporation will at any time prior to the dissolution of said Corporation, thereto being required by the Mayor and Aldermen of the City, for the time being, raise the said streets to the several levels specified in said report of said Fuller, and that it will make it a condition of all deeds given by said Corporation, and all divisions of land among the members thereof, that the abutters shall fill up all the space in front of their respective lines to the level of the edge stones, fit to be paved with brick, to the width which may be laid out for sidewalks in any of

said streets, and that prior to the dissolution of said Corporation, 317.
reasonable notice shall be given to the said Mayor & Aldermen,
for the time being to enable them if they see fit, to make
such requisition of this Corporation. Att. W^m Minot, Clerk.
True copy from the records. Att. W^m Minot, Clerk.

Read, and thereupon ordered, that the Mayor be
authorized to discharge the mortgage of said Corporation, men-
tioned in the foregoing vote, accordingly.

Petition of the New England Socy New England Socy
ety for the encouragement of manufactures and the mechanic for the encouragem^t
arts, praying, that said society may be permitted to use the of Manufactures &c.
whole Hall, over the Market house, for their semi-annual Market
sales, until the City government shall otherwise determine, &
that this permission shall not be withdrawn, without giving
the society six months notice. In Common Council read, &
committed to the Committee who have under consideration of
Petition of Coolidge, Poor & Head, praying for a lease of the
same Hall, at a certain rent. Came up for concurrence.
Read and concurred.

Communication of Zachariah Hicks giving Hicks
ing notice, that he is about making some alterations in his estate N^o 68 Hanover St.
Hanover street, and requesting to be informed, how much, if any, of his
land will be required to widen said street, and what com-
pensation will be made to him therefor. Read and committed
to Aldermen Fennelly and Savage, to consider and
report.

Petition of William Simmons, &

Simmons others, owners of estates on Pinkney and Myrtle streets, abutting Pinkney and on a passage way running between said streets, and opening on West Myrtle street. Centre street, and proprietors in common of a drain in said passage way, praying, that they may have liberty to enter their drains into the common sewer, in West Centre street. Read & committed to Aldermen Welsh and Loring, to consider and report.

Greenough
Washington St.

The committee to whom was referred the proposition of David Greenough. Report, That the City is under an agreement with Mr. Penniman, either to widen Washington street, through the estate belonging to the heirs of R. Chamberlain, or pay damages for the value of the land taken from him. The proposition of Mr. Greenough, to take down the houses belonging to the heirs of Chamberlain and convey the land to the City, it requires on the payment of three thousand dollars. Your committee are of opinion, that it is for the interest of the City to accede to that proposition; and that on his performing his agreement by taking down the said house, and conveying the land according to the line of S. P. Fuller's plan dated 8th of April 1825, that the same be taken as street, and the amount above specified be paid to him accordingly. All which is submitted in order of the committee.

Josiah Quincy, Chairman.

Read and ~~unanimously~~ accepted.

Ticknor

Petition of Benjamin Ticknor, & others,

Province House praying, that Province House Court may be furnished with lamps. Read & committed to Aldermen Welsh & Loring, to consider & report.

Court.

Ward and Ebenezer Smith, Esquires. Resolved, That on the pay-
ment of three hundred dollars, into the City Treasury, the said
Artemas Ward and Ebenezer Smith shall have permission to insert
one or more ~~suctions~~ into the City well, situated in Crop st.
for the use of the several estates now owned by them on Crop
street; and the said Ward and Smith, their heirs or assigns, shall
have and enjoy the exclusive right of taking water, for the use
of their said estates, forever, hereafter, from the said well; that
the said Ward and Smith, their heirs and assigns, keeping the
said well in repair, at their own expense, with the right also,
of sinking the said well deeper, at their own expense, in case
it shall be found necessary for the use of their said estates..

It being understood, that the said Ward and Smith their heirs
and assigns shall be subject to the regulations of the Mayor and
Aldermen for the time being, relative to the time and mode of
opening any street, for the purpose of laying and repairing any
pipes which may be necessary to convey water from said well
to their said respective estates, or for sinking deeper said well,
and shall be held to leave such street in repair, in every
respect as good as when it was opened, and that they nor
shall either of them have any right to open any street for
any of the purposes above mentioned, without a license or
permit therefor, first had and obtained from the Mayor and
Aldermen for the time being; It being also understood that
the City shall always have a right, at all times, of taking
and using the said water in case of fire.

Petition of Thankful Wheeler,

Wheeler to be relieved from the payment of the charge for laying a Pleasant St. side walk in front of her house on Pleasant street. Read & committed to Aldermen Bellows and Alger, to consider and report.

Deaf & dumb.

The committee to whom was referred the communication of the Secretary of the Commonwealth, inclosing an order of the House of Representatives, requiring the Mayor and Aldermen to transmit to the said Secretary, on or before the first Wednesday of January, next, a statement, shewing the number, age, and sex of all deaf and dumb persons in the City.

Reported, - That the City Clerk cause an advertisement to be inserted in the newspapers, requesting all persons in this City to make return to the Mayor's office, on or before the fifteenth day of December next, of the names, ages and sex of all the deaf and dumb in their respective families.

Jn: F. Loring, for the committee.

Read and accepted, and ordered accordingly.

Crombie

The committee to whom was referred

Cambridge St. the petition of William Crombie, and others, occupants and owners of estates on Cambridge street, praying some repairs and improvements be made in said street. Report, That in their opinion the repairs and improvements asked for in said petition are necessary and ought to be made; but as the funds appropriated for the paving and improvement of streets are already expended, they recommend that the subject be referred to the board of Aldermen to be chosen for the ensuing year.

Thomas Welsh, Junior, for the committee. The foregoing report read and accepted, and ordered accordingly. 321.

The Mayor communicated a Philadelphia ordinance &c.
resolve of the Select and Common Councils of the City of Philadelphia, together with two copies of the ordinances and laws relating to said City, with the supplements handsomely bound. The above mentioned resolve read, and thereupon resolved, that the Mayor of the City, be requested to present the thanks of the board, to Joseph Watson, Esquire, Mayor of said City of Philadelphia, and request him to communicate the same to the Select and Common Councils of said City, for their valuable present and express the sense entertained by this board, of the politeness of said Councils.

Order of the Common Council, appropriating the further sum of two thousand dollars, for the construction of common sewers, and that the same amount be withdrawn from the Reserved fund. Came up for concurrence. Common sewers Ad: app:
Read and concurred.

The committee to whom was referred the petition of Samuel Eldam & Co. report, that it is their opinion that there should be allowed to them, thirty dollars, as full compensation for the expenses incurred in the repair of their estates, as set forth in their petition. Read & accepted. Sent down for concurrence. Came up concurred, with the following amendment viz: add "And that the said amount be taken from the appropriation for widening streets." Read and concurred. Charter

Sullivan on the subject of John Sullivan's petition relative to the Mill Creek, respectfully report, That the object of the said petition is to obtain redress from the City for an alleged injury done to his estate, by turning the creek from its ancient course, but that the said petitioner, and all others bounding on the creek, between Ann street and Marginal street, are willing and desirous that the said creek shall be covered over, and converted into a highway, and in consideration of which they are ready to relinquish all claim for damages in consequence of turning the creek, or so covering it over.

Your committee find, that the whole distance from Marginal to Ann street, measuring the present course of the creek is five hundred and seventy five feet; that for about one half of that distance, the City is under contract with the Mercantile Wharf Corporation to bridge the creek over, in continuation of the street to the north of the north block of stores on North Market street. Of which the Mercantile wharf are under contract to indemnify the City for one hundred and fifteen feet in length. That as it respects the other half the City is itself proprietor of an estate abutting on the Mill Creek, on the west side for the whole length of the creek to Ann street, with the exception of the estate owned by Capt Cook, and will have the value of its estates materially benefitted by the proposed covering over the creek, and your committee are of opinion, that on the relinquishment to the City by the other abutments on the creek of all damages for covering it

over, and changing the direction of it; that it is for the 323.
interest of the City to cause the same to be filled up at Sullivan's
its own expense. The mode the committee recommend, Mill Creek
to be adopted is, that the Creek should be covered with
a wharf bridge of hemlock timber as high as high water
mark, and then to be filled up with gravel to the level
of the street. This mode they consider the most eco-
nomical, and more durable than any other except stone,
which mode from the estimated cost of it, your committee
deem inexpedient to be adopted. The cost of the wharf
bridge, covered, filled up, as above stated, it is ascertained,
cannot exceed five thousand dollars. Indeed, your committee
have a proposition to build and finish it as above specified
for somewhat less than that sum. It being desirable
for the purpose of finishing the proposed work in the
best and most economical manner, that contracts
should be made the present season, your committee re-
commend that a committee be appointed with authority
to contract for the said wharf bridge and filling up, and
to receive the necessary releases from the abuttors. All which
is respectfully submitted, by order of the committee.

Asiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the Mayor
Aldermen Poies and Savage, with such as the Common Coun-
cil may join, be a committee to carry the same into effect.
Sent down for concurrence.

Referred in Common Council to the next
City Council.

Monday November 12th 1827.

Met according to adjournment.

Present The whole board, except Alderman Alger.

Register of deeds

Ancient records.

The committee on the representation of Henry Aline, Register of deeds, relative to the state of the ancient records in his office, respectfully report, in part, that many of the ancient volumes of records are in a state of great decay, and require some of them to be transcribed anew, some to be new bound, and some, it will answer all the purposes of reference and use, if they are substantially abstracted & indexed. All the volumes also require to be indexed anew. It seems to your committee desirable that the business should be entered upon as early as possible, under the superintendence of a gentleman of skill, and who would take interest in having the work done in the most scientific and correct manner, and they have the satisfaction to state that after an interview with Nathaniel G. Snelling, Esq. whose capacity & zeal in all subjects connected with our local history is well known to our fellow citizens, he has offered to superintend the work, and go through all the labour necessary, for abstracting and indexing, free of any expense to the City, requiring only that the City would pay the Clerk hire, which may be occasionally wanted in prosecution of the general design. Your committee recommend the availing ourselves of the offer of Mr. Snelling, and that a committee be appointed to unite with Mr. Snelling, in superintending the progress of the work and with authority to employ such Clerks as may

be requisite. Josiah Quincy, Chairman?

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Read and accepted, and thereupon ordered, that the Mayor, and Alderman Savage, be a committee, to carry the same into effect. —

Assessment to defray the expense of Pond street
constructing a common sewer, laid by the City, in the year 1827. Common sewer
in Pond street, made out and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named. —

Assessment to defray the expense of Richmond street
a small piece of common sewer, recently constructed by the City, Common sewer
in Richmond street, made out and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named.

Ordered, that the Treasurer of the Franklin fund
Franklin fund be directed to give notice to all delinquent bondsmen, that their bonds will be put in suit, unless the several sums due thereon shall be paid in thirty days.

Ordered, that the committee of the Goodwin
District be authorized to set back the fence in front of the Hanover st.
Estate belonging to the heirs or devisees of Nathaniel Goodwin,
deceased, on Hanover street, at the corner of Portland street, within the
line of Hanover street, as laid out by the Board of Aldermen on the 13th
of March, 1825. Stay the side walk in front of the same.

Ordered, that the assessors be required to furnish the Mayor and Aldermen, in the month of April, annually, a list of all persons, partnerships and corporations, who were taxed in this City the preceding year, to the amount of thirty five dollars, or upwards, specifying the amount of each person's, corporations and partnerships tax, on real and personal estate, severally; and also describing in brief each lot of real estate of every such person, partnership or corporation, when such lots shall be by them valued at the sum of two thousand dollars or upwards.

Ordered, that the Mayor & Aldermen, cause such number of copies as they shall judge necessary to be printed, and furnish one copy to each member of the City Council to each of the permanent and assistant assessors.

Ordered, that the order of the sixth of November last year be and the same is hereby repealed. Sent down for concurrence. Came up concurred with amendments. Vide page 349.

Odiorne

Water

The committee on the petition of George Odiorne and Thomas Odiorne, on the subject of supplying the City with water by means of an aqueduct from Shot Pond, in Monckham Report, that after several interviews with the petitioners, without any definite result, they are of opinion, that it will be inexpedient to take any measures on the subject; in which decision the petitioners themselves at present acquiesce. By order of the Committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

The Mayor reports, on the petition 327.

of Richard D. Shepard, and others, relative to a vault on High Street, that the said necessary and vault are unquestionably an High Street inconvenience; but it is an ancient one; and whatever nuisance arises from it, to the vicinity is the consequence of widening the street up to it, so as to make its back border on the side walk. The only remedy is, by widening the street, so as to take in that building, which at present cannot be recommended.

Read and accepted.

Communication from Samuel D. South Boston
Parker, Esq. Clerk of the Proprietors of South Boston bridge; Bridge
inclosing a vote of said Corporation, passed on the 3rd instant, which vote is as follows VIZ: "Voted, that it is inexpedient further to allow the City vehicles or government to pass said bridge free of toll, and that the vote of the promoters of June 11. 1821, granting that liberty, according to the proviso therein contained be now repealed, and due notice thereof be given to the City government, that toll will be expected and demanded from them for passages over said bridge as authority is by law, after the first day of December next." At said meeting said Proprietors appointed a committee consisting of John Amory, Nathaniel Curtis and William A. Warner, Esquires, to negotiate with the City authorities for the future use of the bridge upon such terms as the committee think proper. Read, recommended to the Mayor and Alderman Welsh, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up con-

328. ~~Commons~~ ~~same~~ ~~and~~ concurred, and the Common Council joined on its part, Messrs. Dorr, James and Ewellth.

Bigelow
Bromfield Lane, Esquire, be notified, that the board of Aldermen, as Surveyors of highways will proceed and cut off the part of a building occupied as a shop which now stands in Bromfield Lane, & stands beyond the line of the same as laid out by said board on the third day of September, last, unless said Bigelow shall remove the same within the line of said lane on or before the first day of December next.

Voters - abatement
of taxes. Ordered, that the Mayor, Aldermen Wish and Savage, be a committee to take into consideration the list of persons whose taxes have been wholly abated, and report, whether in their opinion such persons are entitled to vote, who have not paid a tax within two years.

Simmons
Pinkney &
Myrtle streets. The committee on the petition of William Simmons, and others, proprietors of a drain between Pinkney and Myrtle streets, reported, that the subject has been satisfactorily arranged by a general understanding between the committee on the subject of common sewers and the petitioners.
Read and accepted.

Williams
Engine? The com^{ee} on the petition of John D. Williams, Colmas, to have an Engine with suction hose, at the south end, reported, that it is not expedient to be granted, the present year. Read & accepted.

The committee on the petition of 329.

Philip Luther and Stephen Lang, to purchase a lot of land. Luther Lang, on Portland street, belonging to the City report that they, Portland st. are of opinion, that the lot of land, which the said Luther and Lang wish to purchase is worth one dollar, per foot, and that it is for the interest of the City to sell it at that price, and they therefore recommend that the Mayor be authorized to execute a deed of the same on the payment of that sum per foot. ^{Welsh} J. for the com^t. Read and accepted, and ordered accordingly. Sent down for concurrence. Came up concurred.

The committee on the petition of Wheeler

Thankful Wheeler, to be relieved from the payment of the expense of laying her side walk, by reason of poverty, reported that ^{owing to} the peculiar circumstances of the petitioner they recommend that the City assume the expenses of repairing the side walk alluded to, which will be trifling.

Read and accepted.

Ordered, that the committee on the Market house Market be authorized to make arrangements for the market Watch fuel watch, also to furnish fuel for the Market house.

The Mayor reports, on the petition of Bordman William Bordman, to have a common sewer laid in Hanover Hanover st. street, that it is inexpedient the present season to lay said common sewer; temporary relief has been attained by an

330 expense, which the said petitioner is willing to pay.
(Read and accepted.)

Mercantile Whf^y

Corporⁿ

Ordered, that the Mayor be authorized to execute the indentures made between the City and the Mercantile Wharf Corporation, agreeably to the report of the Committee, and the vote of the City Council thereon.

Gaol & House

Correction

Municipal Court

The Grand Jury's communication relative to the state of the Gaol and house of correction and suggesting the propriety of having the sessions of the Municipal Court held in a more central situation than the present place in Leverett street. Read and committed to Aldermen Welsh and Savage, to consider and report.

Franklin
School house

Communication of the Trustees of the Franklin School, relative to the defects in the roof, and walls of said School house. Read and committed to Aldermen Bellows and Alger, to consider & report.

Gaol &c.

The board of accounts return of the number of prisoners confined in the Gaol and house of correction.
Read and filed.

(Adjourned to Monday next 4^o Clock P.M.)

Monday November 19th 1827.

331.

Met according to adjournment.

Present The whole board except Alderman Alger.

Order of the Common Council re- City debt
questing the committee for the reduction of the City debt, to
report to the City Council, the whole amount of moneys
received by them, giving in detail the sources from whence the
same were received. And also to report what disposi-
tion they have made of the same. Came up for con-
currence. Read and concurred.

The committee of the City Council New England
to whom was referred the petition of the New England Socy for encouragement
in the encouragement of manufactures and the mechanic Manuf. the Me-
arts, respectfully report, that the sole object of the society, Manu arts.
above named is, to effect, through the means of semi-annual
auction sales of domestic manufactures, such a change in
the course of that business as will bring foreign purchasers
to the domestic market, instead of controlling our manufac-
turers to seek in other States or Countries a market for their
manufactures; that it has no funds and derives no emol-
ument whatsoever from its labours. The effect of such semi-
annual sales cannot but be highly advantageous to the
commerce and progressive prosperity of this City, and in
the opinion of this committee the advantage derived to the
City, by these semi-annual auction sales, is a sufficient justi-
fication and inducement to the City Council for such an

332 appropriation of the hall over the market, free of rent to that society as the petition of its directors solicits. Thus far the experiment of these auction sales has been as successful as could reasonably have been anticipated. The gross proceeds of all the three semi annual sales, which have yet occurred, have amounted to upwards of nine hundred and fifty six thousand dollars. The tendency of them to bring foreign purchasers at the season of these sales to this metropolis & the effect upon its prosperity both direct and incidental are so obvious and unquestionable that your committee cannot hesitate to recommend such an acquiescence in the prayer of their petition, as will place the subject at all times under the control of the City Council, and yet give the petitioners the assurance of the permanent stationing of their institution, which they solicit, until a further ^{order} City Council shall take a different view of the interest of the interests of the City. Your committee therefore recommend the following order for the consideration and adoption of the City Council, which is respectfully submitted, by order of the committee.

Josiah Quincy, Chairman;

Market House,

Hall

Ordered, that the New England Society for the promotion of manufactures and the mechanic arts shall have the exclusive use of the hall over the new market house, for the purpose of their semi annual sales, from the fifteenth day of March to the fifteenth day of April; and from the fifteenth day of August to the fifteenth day of September, free of rent, until the further order of the City Council; and six months notice shall be given to said society of

the rescinding of this privilege? — Ordered, that Mess^{rs} 333.

Eveleth, Barry and Bacon, with such as the board of Aldermen may join, be a committee with full authority to lease for a term not exceeding three years, if they see fit, by auction or otherwise the whole of the Hall over the new market house, the lease to be subject to the above exclusive use of the society mentioned in the preceding order, and on such terms & conditions as the said committee shall deem expedient, reserving to the City Council, the right of terminating at any time such lease, on terms usual in cases of like leases by the City.

Read and accepted in the Common Council, and the orders passed. Came up for concurrence. Read & concurred, and Aldermen Loring and Boies are joined.

The committee of the City Council, Islands, beaches to whom was referred the communication of the Mayor relative Deer Island, to the Islands, beaches and bars in the vicinity of the harbour of this City, respectfully report. That a committee be appointed to prepare a memorial to Congress, praying an appropriation for the protection of Deer Island, and to report the same for the consideration of the City Council; and that the same committee be authorized to attend to the petitions now pending before the Legislature of the town of Chelsea, relative to Chelsea beach, and to take such measures to guard the rights and interests of the City in that respect as they shall deem expedient; and that the same committee be authorized to apply to the Legislature for the enactment of such additional provisions of law for the preservation of the several important bars and banks in the

334. Harbour of Boston, and against the carrying away any earth, stone, ballast or other substance therefrom as in their wisdom shall be found necessary and expedient. All which is respectfully submitted, by order of the committee, Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the former committee be appointed to carry the same into effect. Sent down for concurrence. Came up concurred.

Mayors com.
relative to
Islands in Boston

Gentlemen of the City Council,

I deem it my duty

harbour.

to call your attention to the general state of the several islands, beaches and bars, in the vicinity of the several harbours of the City on which the safety and convenience of those harbours, in the opinion of nautical men depend. It is now about two years since in consequence of the application of the City Council, an appropriation of upwards of forty thousand dollars, was made by the United States, for the protection by a sea wall of Georges Island and of Deer Island. This appropriation eventuated in the purchase of the former Island, and in the erection of a substantial sea wall for its protection, which it is apprehended will give to our outer harbour, all the protection which was contemplated and was desired. It is however understood that the sum appropriated by the United States has been expended, or nearly so, in the purchase of Georges Island, and in the works there erected, it is therefore for the wisdom of the City Council to consider whether it may not be expedient to apply to Congress for an additional appropriation to be applied to the protection of Deer Island; thereby obtaining a similar

security for our inner harbour, which it is supposed has been, 335.
effected for our outer harbour, by the works on Georges Island.

In connection with this subject, I deem it my duty to call the attention of the City Council to a petition now pending, before the Legislature, relative to Chelsea beach, from the town of Chelsea which is herewith transmitted marked A, which as a barrier against the power of the sea the preservation of that beach is still more important to the interests of this City than it can possibly be to the town of Chelsea or to any of its Inhabitants, and it becomes consequently the duty of the City Council, to take care that the powers, if any be, granted over that beach by the Legislature should be of a character permanently to maintain this essential barrier of our inner harbour.

Information has also been given to me, that there is a constant practice of taking sand and ballast from Bird Island; as also from the bar which extends from the Great Brewster to the Stone monument at the entrance of the narrows, by lighters.

Bird Island
H

Both of these are important means of defence against the violence of the waves and measures ought to be taken for their preservation without delay. I recommend the whole subject to your consideration.

Asiah Quincy.

Read and committed in Common Council to Messrs Williams, Hallett, and Lewis with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Welsh and Wales are joined.

Report of Committee vide page 341.

Petition of Reuben Vose, praying liberty
 Vose to take up the streets near the Rev^d Mr. Knowles' Church, thro'
 North Margin St. North Margin, Thacher, Cooper, and Pond streets, in the same
 way and manner, with similar privileges as were granted to
 Mess^{rs} Bartlett and Stearns, for the purpose of drains to accom-
 modate his estate on Pond street. Read and committed to
 Aldermen Fennelly and Savage, to consider and report.

Pitts
 Chatham St. *Petition of William Pitts, and James*
 Morrill, Attorney and Agent to the minor heirs of Lendall
 Pitts, for compensation for land taken from them in laying
 out Chatham street. Read and committed to Aldermen
 Bellows and Loring, to consider and report.

Greenwood
 Ostriches *Application of Ethan A. Greenwood,*
 for a license to exhibit three live Ostriches, at a house on
 Common street. Granted until the first day of April next,
 on paying therefor, the sum of two dollars.

Parmenter
 Richmond & Hanover Sts. *Petition of William Parmenter, in behalf*
 of the heirs of Thomas Parker, for compensation or damages in
 consequence of having the steps of their house taken away
 from their house at the corner of Hanover & Richmond streets.
 Read and committed to Aldermen Fennelly and Savage, to
 consider and report.

Beach Street
 Ordered, that the committee of the
 District be authorized to lay out the side walks on Beach street
 in front of the Washington bank.

Assessment to defray the expense of 33%.

defraying the expense of constructing a common sewer in Ann & Ann street, laid by the City in the year 1827, made up and returned by the auditor of accounts. Read and accepted, & thereupon ordered, that the amount thereof be collected of the several persons therein named.

Assessment to defray the expense of Spring street, constructing a common sewer laid by the City, in the year 1827, in Spring street, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the amount thereof be collected of the several persons therein named.

Assessment on ten dollars each on twelve, Chestnut street houses, whose drains enter into the common sewer in Chestnut Common sewer street, being made up and returned by the auditor of accounts. Read and thereupon ordered, that the amount aforesaid be collected of the several persons therein named.

Assessment to defray the expense of con- Margaret st. structing a common sewer laid by the City in Margaret street, Common sewer in the year 1827, made up and returned by the auditor of accounts. Read and accepted and thereupon ordered, that the amount aforesaid be collected of the several persons therein named.

An assessment of fifty dollars upon the heirs of Hanover street of Dr Thomas Hast, for an entry into the common sewer, in Common sewer.

338. Hanover street, made up and returned by the auditor of accounts. Read and accepted, and thereupon ordered, that the said amount be apayed and collected of them accordingly.

Engine house
N^o 8.

The committee of the fire department, respectfully report, that the engine house of N^o 8 is in a condition wholly inadequate to the exigencies of the company, & to the interests of the City; that it is only about twelve feet by fourteen in extent; which is so completely occupied by the Engine and hose reel, as to leave no space for the other apparatus of the company, or for the operations for keeping it in repair; that the Company of engine N^o 8, now consists of forty two members and are wholly discouraged from the necessary exertions to keep their engine and hose apparatus in order; having no place for meeting, for heating water, or for cleaning their hose. The engine house is also itself in a dilapidated state, all the boards on one side being nearly off; and it is in every respect inconvenient. Under these circumstances Mr. Thomas Emmons has offered to repair and fit up to the satisfaction of the company a wooden building, fifty feet long by twenty feet wide, situated in Warren street, to finish the same in two rooms, to put up an apparatus for cleaning the hose, such as is now putting up in ~~and~~ ~~the~~ Engine house N^o 7; that he will find benches & tables & a boiler, and finish the same as well as the house to the satisfaction of the company, as well as of the Mayor and Aldermen; that he will keep the same in repair during the continuance of the lease; if the City will agree to

hire the same, on a lease of five years, and pay one hundred 339.
and thirty dollars rent for it, per annum; He also is willing,
that the City shall at the termination of said five years, have
it, at its option to continue the same for any term of time,
not exceeding ten years, longer, on the same conditions, I have
also the liberty to terminate the lease, at any time, within
the said term, paying him such reasonable compensation for
the expense of fitting up the said house, for the accommoda-
tion of the said company, as three men mutually to be chosen
shall award. Upon the whole, your committee are of opinion,
that it would be difficult to find a more eligible location for
that engine, or more convenient accommodations than Mr. Emmons
offers; and the terms seem to be equitable. The dispositions of
the company are excellent, but your committee apprehend it
will be impossible to keep them together, or to collect another
company in that quarter of the City, unless better accommodations
is provided. The Chief Engineer also strongly advises to the mea-
sure. They recommend, therefore, that an authority be given
to hire the said house of Mr. Emmons on the terms proposed.
All which is respectfully submitted, by order of the Committee.

Isiah Quincy, Chairman

Read and accepted, and referred to the Committee of
the fire department to carry the same into effect. —

The board refuse to reconsider their vote, whereas Thayer
they refused to grant a virtual license to Ebenezer Thayer & Company.

Adjourned to Monday next, four o'clock P. M.

Monday November 26th 1827.

Met according to adjournment.

Present The whole board except Alderman Alger.

Dorion
Strength.

Ordered, that complaint be made to the Judge of Probate, that John B. Dorion, of Boston, Confectioner, does by reason of excessive drinking, idleness and dissipation, so spend, waste and lose his estate as thereby to subject himself to want and suffering circumstances, and endanger and expose the City to a charge for his support; and praying that a Guardian may be appointed to the said Dorion, according to law.

Tilston

License revoked.

(Notice having been given to John Tilston, to appear and show cause, if any he have, why his license as a victualler, should not be revoked for a violation of the license law, in keeping his place of business open, after ten o'clock at night, And now the said Tilston appears, and after a full hearing the board are of opinion, that the allegations charged against him are true. It is thereupon ordered, that for the reason aforesaid, the license of the said John Tilston be and hereby is revoked.

Auctioneer

Charles C. Braman, licensed as an Auctioneer, place of business under Council Hall.

Auctioneer

Augustus Story, Auctioneer, removed to Office under Council Hall, licensed accordingly.

The committee of the City Council 341.

to whom was referred the representation of Samuel N. Parker, Boston South-
(Clerk of the Proprietors of the Boston South Bridge, communi- Bridge
cating a vote of that Corporation rescinding a former vote, that
of whereby the right to pass free of toll was granted to the
City government and to vehicles going to and coming from
the House of Industry, having had an interview with the
committee appointed by said Proprietors, on that subject res-
pectfully Report, that the right to rescind the vote above
mentioned was reserved by the said Proprietors, in its original
terms, but inasmuch as they have so long refrained from
exercising that right and have given a fair and liberal
construction to the privilege granted by their first vote on
the subject, your committee are of opinion that the City
should acquiesce in the said rescinding vote, and consent
to pass tolls from and after the first of December 1827.

Which is respectfully submitted, by order of the
Committee.

Josiah Quincy, Chairman.

Read & accepted, Ordered accordingly. Sent down for
concurrence. Came up concurred.

The committee of the City Council stands ready
to whom was referred the communication of the Mayor, re- San Ho.
lative to the Islands, beaches and bars in the vicinity of the
harbour of this City, respectfully report that a committee
is appointed to prepare a memorial to Congress, praying
an appropriation for the protection of Deer Island; and to
report the same for the consideration of the City Council,

312. and that the same committee be authorized to attend to the petition now pending before the Legislature, of the town of Chelsea, relative to Chelsea beach, and to take such measures to guard the rights and interests of the City in that respect as they shall deem expedient; and that the same committee be authorized to apply to the Legislature for the enactment of such additional provisions of law, for the preservation of the several important bars and banks in the harbour of Boston, and against the carrying away any earth, stone, ballast, or other substance therefrom as in their wisdom shall be found necessary and expedient. All which is respectfully submitted, by order of the Committee,

Josiah Quincy, Chairman;

Read and accepted, and thereupon ordered, that the former committee be appointed to carry the same into effect. —

Sent down for concurrence.

Same up concurred.

Voting lists.

The Mayor reports, that in conformity with the authority vested in him by the vote of the fourteenth day of December, last, he has superintended the making out the voting lists in manner provided in the City Charter, which lists he now submits for the further correction of the board of Aldermen.

Which being considered, thereupon ordered, that said lists be deposited in the Mayor and Aldermen's room, and appear's office, and that notice forthwith be issued to all persons, to that effect; and that the same should particularly

indicate to the following persons the propriety of taking care 343.

to ascertain that their names are on the voting lists, viz:

1. Persons who were doing business, either in partnership or individually, in other wards than those in which they lived and boarded on the first of May, last.

2. Persons who were taxed, without their Christian names.

3. Persons who have paid a tax, within two years, have become inhabitants of the City, since the first of May, last.

4. Persons who have come of age since said day.

Ordered, that warrants for ward Ward meetings meetings be issued to be held in the several wards, on Monday, the tenth day of December, next, at ten o'clock A. M. for the choice of Mayor, Aldermen, Common Council men, Overseers of the poor, School Committee and Ward officers.

The committee to whom was referred, the application of Reuben Vose, to have a suction from a well on land of the 2nd Baptist Church, to run through Thatcher, North Margin, Cooker, and Pond streets, for the accommodation of his house on Pond street, for the supply of fresh water, reported, that said Vose have the privilege of opening said streets, under the supervision and by the direction of the superintendent of streets, & to replace the pavements and make good the several streets to the satisfaction of said officer. Rob^t Fennelly for the com^{ee}.

Read and accepted, upon condition, that the pipes shall always be subject to be removed by order of the Mayor & Aldermen, for the time being,

Smith
Lamps

The committee on the application of Ebenezer Smith, and others, for the erection of lamps, ask leave to report, that they have examined the premises, & attended to the reasoning of the applicants, and are of opinion the public safety requires one to be placed on the corner of the lot owned by the City, and leased to said Smith, at the junction of Merrimac and Market streets; one on each of the newly made bridges over the creek, and one on the corner of the black fence on Friend Street. The first mentioned lamp, at the expense of the City, the others at the cost of the applicants, and when in place the whole to be lighted by the City. Jeremiah A. Boies, per order.

Read and accepted.

Brewer

(Communication from Thomas Brewer, proposing, in case the City government will widen Beach street, by drawing a line easterly, from Washington street along the north front of the house of the heirs of the late Francis A. Foxcroft, to the north east corner of land of said Brewer in said street as the same now stands, he will give to the City the gore of his land, which will be northward of said line, to be a part of the street; provided, the improvement takes place, within ten days from the 24th instant. Read & thereupon Resolved, that the whole board will meet in Beach street on Friday next, nine o'clock A.M. for the purpose of considering the expediency or necessity of widening said Beach street as aforesaid.)

(Adjourned to that time and place accordingly.)

Friday November 30th 1827. 345.

Met according to adjournment.

Present Aldermen Bellows, Loring, Davis, Wales & Savage.

The board proceeded to view Beach Beach street.
street, and after examination, it was thereupon resolved, that
the safety and convenience of the Inhabitants require, that said
street should be widened, and the same is laid out & widened,
accordingly, viz: beginning at the northwesterly corner of the estate
belonging to the heirs of Francis A. Foxcroft, deceased, thence running
easterly, by the northerly front of said house, and continuing in the
same direction, one hundred and forty two feet, more or less to a
court between land of Thomas Brewer, and Thomas Farmer, called
Newton place; thence running northerly on said court or place,
one foot six inches, to the present line of Beach street; thence west-
erly by the present line of Beach street, one hundred and forty two
feet, more or less to Washington street; thence running southerly
seven feet, four inches to the place of beginning, taking from the
land of said Foxcroft's heirs, four hundred and eighty four square
feet; and from land of said Brewer, one hundred & nineteen
square feet, and from the passage way between said Foxcroft's heirs,
and said Brewer, thirty five and five twelfths square feet - ac-
cording to a plan of the same taken by A. P. Fuller, dated
November 29th 1827.

Adjourned to Monday next, four o'clock P. M.

Monday December 3^d 1827.

Met according to adjournment.

Present The whole board except Alderman Alger.

Harrington,
Dog Apollo

Application of H. J. Harrington, for a license to exhibit his Grecian Dog Apollo, at the Exchange Coffee house. Granted, on paying therefor, three dollars per week.

Hayward

Petition of Caleb Hayward, praying compensation for his services as Wharfingers of the City Wharf, near the Market house. Read and committed to the committee on the Market to consider and report.

Wolcott
Fine St.

Petition of Harris H. Wolcott, praying, that Fine street may be widened, and for that purpose offers to sell to the City, a strip of his land, seven feet and an half wide. Read and committed to Aldermen Welch and Loring to consider and report.

Small Boats
vessels from Halifax
to be
examined.

Communication from the City Marshal, stating, that it appears by recent arrivals from Halifax Nova Scotia, that the Small Boats of a very aggravated type has existed at that port for nearly a year past. It was introduced there by vessels crowded with emigrants from Ireland, and has occasioned many deaths. After examining a newspaper printed at Halifax, and a letter from a Gentleman residing there, the following order was passed and ordered to

be published viz: Whereas satisfactory information is received 345.
by this Board, of the prevalence of a malignant and infectious
disease called a fever, and also of the small pox, to a very
alarming degree at the Port and City of Halifax, in Nova
Scotia; and the communication with said port is at this
period of the year to be facilitated as much as the public
health and safety will permit. Ordered, that all vessels
arriving from Halifax, in this port of Boston, shall be re-
quired to come to anchor at a distance of one hundred yards
from any wharf or street of this City, until the same are
visited by the Resident Physician or City Marshal, to ascertain
that no person has died of any infectious or contagious disease
on board of any such vessel; or is sick of any such disease,
and no person of the crew or any passenger in such vessel
shall be allowed to leave before such visit, and the pilots of
this port, are directed to give notice of this order to all
such vessels. —

The committee on the subject of, Whitney
Jonathan Whitney's placing the walls of his wharf on the City
land, reported, that by an arrangement made with the
Cantile Wharf Corporation, and the deeds of M^r Whitney all
their proceedings on this subject are rendered unnecessary.
Read & accepted.

Petition of Thomas Sawyer, praying, Sawyer
to be relieved from the payment of the amount of taxes assessed
upon him the present year, as the same is three times the

348. The amount of any former year, and that his property has diminished rather than increased. Read and committed to the Mayor, to consider and report.

Englewood
Bromfield Lane
It appearing to this board, that
Alpheus Englewood, Jr. has been duly notified, that unless
he should remove a shop from the line of Bromfield Lane,
on or before the first day of December, instant, this board
would proceed and cause the same to be cut off, and it
also appearing, that said requisition has not been complied
with. It is thereupon ordered, that the former committee
upon that subject be instructed to proceed and cause said
building to be cut off, to the line of said street.

Shelburne
Jond & Thacker
Shack
Petition of John Shelburne, praying,
that the line of his lot at the corner of Bond & Thacker
Streets, where he is about building, may be determined. Read
and committed to Aldermen Fennelly, Savage, to consider
and report.

City Wharf on
Canal
Ordered, that Aldermen Fennelly &
Savage, with such as the Common Council may join, be a
committee to consider and report upon the expediency of leasing
the City wharf on the Canal. Sent down for concurrence.
Same was concurred, and the Common Council joined on its
part Messrs Bacon, Clark and Eveleth.

The committee upon the
reduction of the City debt made a report. Read & sent down.

Richard Pile, licensed as an Auctioneer, place of business Broad street.

349.

Auctioneers

Leonard Rogers, licensed as an Auctioneer, place of business North Market street.

Adjourned to Monday next, four o'clock, P. M.

Special meeting.

Thursday December 6th 1827.

Present — The Mayor. Aldermen Welsh, Donnelly, Boies and Savage.

Ordered, that the sum of nineteen hundred, eighty two dollars and sixty five cents be paid to the heirs of Watson Freeman, in full for damages awarded in their favour against the City of Boston, and that the sum of one hundred dollars for costs of reference be paid to the referees, and that the said amount of two thousand and eighty two dollars and sixty five cents be charged to the appropriation for widening streets. Passed in Common Council. Came up for concurrence.

Freeman's heirs

Read and concurred.

Ordered, that the assessors be required to furnish to the Mayor and Aldermen in the month of April, list of persons annually, a list of all persons, copartnerships & corporations, who were taxed in this City the preceding year to the amount of twenty five dollars or upwards, specifying the amount of each

Assessors

lapsed

350. persons, copartnerships or corporations tax on personal, real, estate, severally.

Ordered, that the Mayor and Aldermen cause such number of copies as they shall judge necessary to be printed, and furnish one copy to each member of the City Council, and to each of the permanent and assistant aldermen.

Ordered, that the order of the sixth day of November last year, be and the same is hereby repeated. Passed in Common Council. Came up for concurrence.

Read and concurred.

Beach street

Ordered, that the Superintendent of streets be directed to set back the fence and remove all obstructions from Beach street, agreeable to the line as established on the thirtieth day of November, last.

Adjourned to Monday next, four o'clock P. M.

Monday, December 10th 1827.

Met according to adjournment.

Present The whole board except Alderman Alger.

Roxbury, Brookline

Small pox.

The Mayor laid before the board a letter addressed by him to the Selectmen of Roxbury and Brookline, suggesting the expediency of precautionary measures to prevent the communication of the infection of small pox, from those towns respectively, to the Metropolis, and requesting that the names of the persons belonging to the family, or who have been exposed

to contagion should be taken, and that they should be notified not to go into the City of Boston, without having themselves and their apparel fumigated thoroughly as the Physicians of the towns respectively, should prescribe, and recommending, that such persons should be furnished with a certificate to that effect. Which being read and considered, thereupon ordered, that the Mayor be authorized to take the most effective legal measures to prevent any intercourse between the families infected, and the City, except by persons bringing with them, the certificate of a regular Physician, of their having been subject to efficient precautionary measures to prevent the spreading the infection. 351.

Petition of Jeremiah Foster, lessee of Foster
the store and cellar, numbered two, in the building under Faneuil Hall, praying, that permission may be granted him to assign his said lease, and all the rights and privileges conveyed by it to Henry Mepenger. Read and thereupon ordered, that the petitioner have leave to assign his said lease as prayed for, except, that the City do still hold him as responsible for the rent as covenanted by him in his said lease.

The report of the committee on the Thaxter
petition of Samuel Thaxter and Adam W. Thaxter, for damages sustained by him, in consequence of the lowering of Pinckney street. Came up in concurrence with the following amendment, viz: to insert "And that the said amount be taken from the appropriation for widening streets. Read and concurred.

Petition of Harrison, G. Otis and

others, praying that Chestnut street, extending from the part
 Chestnut st. heretofore accepted, to Charles street, be accepted by the City,
 and recorded as a public street and highway. Read and
 committed to Aldermen, Welsh and Loring, to consider and
 report.

Parmenter The committee of the District to
 Parkers heirs whom was referred the petition of William Parmenter,
 Hanover st. praying compensation for damages, in having the front steps
 taken away from the House on Hanover street, belonging
 to the heirs of Thomas Parker, deceased, reported, that in
 the matter represented, no injury has been done to the
 tenants of the estate, because the front door was not closed,
 and the use of the same was discontinued by boarding
 up the same, and the ~~steps~~ in front by the tenants them-
 selves, who had lathed and plastered upon the same, &
 the steps in front thereof had long been projected into
 the street, the removal of which was called for by public
 convenience. Read and accepted.

Chamberlin Application of Paul Chamberlin & Frank
 Tanciel Hall St. Quincy, read Committee of the committee of arrangements for
 celebrating the victory of New Orleans at the B. of F. of F. 1814, for
 the use of Tanciel Hall, for a public dinner, in the suburbs on 4th
 B. of F. of F., next. Read & the prayer thereof granted.

Adjourned to four o'clock, tomorrow afternoon.

Thursday December 11th 1827. 353.

Met according to adjourn^t

Present. The whole board except Alderman Alger.

The board proceeded to examine the Votes for
returns from the several wards of the votes given in yesterday, Mayor.
for Mayor of the City, and they found the whole number of
votes to be 2629.

Necessary for a choice 1315.

The Hon. Josiah Quincy had 2189.
and is duly elected Mayor of the City the year ensuing.

The board also proceeded to examine Aldermen
the returns from the several wards for Aldermen, and found
the whole number of votes to be 2712

Necessary for a choice 1357.

Hon. James Savage had 2152

Hon. Thomas Kendall " 2066

Phineas Upham, Esquire " 2052

John F. Loring, Esquire " 1930

Robert Fennelly, Esquire " 1893

Hon. John Pickering " 1673

James Hall, Esquire " 1757

Samuel T. Armstrong Esq. 1450

And they are chosen Aldermen for the year
ensuing.

Ordered, that the City Clerk publish the foregoing City Clerk to
in the newspapers, and that the several Gentlemen elected be notified
of their appointment.

354.

Application of John H. Belcher.

Belcher

lessee of store N^o 4, under Town Hall, for liberty to divide said store and let a part thereof. Read and the prayer thereof granted upon condition that he shall place the premises in the same condition that they are now in if required.

Foxcroft

Beach street.

(Ordered, that the Superintendent of streets be instructed to lay a side walk in front of the estate of Francis A. Foxcroft's heirs in Beach street; the expense of which to be deducted from the amount ~~awarded~~ of damages to be awarded to them for the land taken to widen said street.

Adjourned to Monday next, four o'clock P. M.

Monday December 17th 1837.

Met according to adjournment.

Present. The whole board.

Appropriations

Order of the Common Council directing that in the present and every future year after the passing of the annual order of appropriation for the year, no subsequent expenditure shall be authorized for any object not comprehended in said annual order, excepting under the following restrictions viz:

1st. Provision for such subsequent expenditure shall be made either by a transfer of a part or the whole of the reserved fund, or of some of the appropriations contained in such an-

usual order; such fund or appropriations to be in each par- 355.
ticular case, particularly designated, or by expressly creating,
therefor a City debt.

2nd. All such subsequent appropriations shall be at least
two thirds of the whole number of each branch of the City
Council, by vote taken by yeas and nays.

Read and committed in Common Council to the
President, Messrs Gray, Phillips, and Russell, with such as
the board of Aldermen might join, to consider and report.
Lame up for concurrence. Read and concurred, and the
Mayor, Aldermen Welsh and Savage are joined.

Petition of Samuel Snelling, pray- Snelling
ing, that the amount of the expense of taking up and
re-laying the common sewer leading from Salem street to
the Mill Pond, may be apportioned upon the owners of
estates who are benefited thereby. Read and thereupon or-
dered, that all persons interested be notified to appear be-
fore this board on Monday next, four o'clock P.M. and
object to the same, if they see cause, by publishing a notice
in the newspapers.

(Communication of Samuel D. Harris, Ch. Eng. on
Eng. Chief Engineer, stating, that great inconvenience arises alarm of fire
to the fire department, from the want of a more immediate
alarm being spread through the City, by the Watchmen, after
the Citizens have retired to sleep, or from the streets. And
proposing, that strict orders be issued to that department, so

356. That the watchmen in addition to the ringing of the bells, and the cry of fire, repair with all possible haste to the Church nearest to, or in their respective walks, and there to give with the assistance of the bell, a loud & continuous call to the fire department. Should any of the Church doors be closed, that the watchmen be furnished with a number of keys, to be deposited at the Engine houses, & taken with them on their beats, with such other arrangements as may seem best adapted to the furtherance of the object. Read and committed to the Mayor, Aldermen Welsh and Savage, to consider and report.

Communication of William Minot, Esq. Treasurer in behalf of the Boston Mill Corporation, in relation to the common sewers which said Corporation are bound to lay in pursuance of their contract, and making sundry propositions in relation to those already laid. Read and committed to the Mayor to consider and report.

Small pox

Communication from Dr. Smith, Resident Physician, stating, that the Selectmen of Brookline, had placed under his care two men whom they are apprehensive will have the small pox. And this afternoon a sailor belonging to the British government packet Emily, from Halifax, was conveyed to Rainsford Island, having the incipient symptoms of small pox, the eruptions beginning to appear.

Besides the above there are four more patients from Philadelphia making seven men in the small pox Hospital.

all of whom are doing well, as the Physician he 35%.
lives. Read and filed.

Communication from the Selectmen Brookline
of Brookline, praying leave to send the aforementioned men Small, Fox,
to the Island and that said town will pay all ne-
cessary charges. Read & the prayer thereof granted.

The committee on the market to Hayward
whom was referred the application of Caleb Hayward, pray-
ing an allowance for his services as Wharfinger of the City.
Wharf. Reported that ^{he is allowed} five per cent. on all monies by
him paid over to the auditor for his compensation for collect-
ing the wharfage and dockage. Read & accepted.

The committee on accounts, to whom Bartlett
was referred the petition of James Bartlett, respecting an un-
settled claim which the said Bartlett makes for work done
for the town of Boston, during the years from 1818 to 1821,
inclusively, have had the subject of that petition under con-
sideration, and respectively ask leave to report. That the
claim which Mr. Bartlett prefers, is of a nature which places
it entirely without the usual course pursued in relation to
other accounts against the City. The amount of his bill, as
referred by the Council to this committee is forty eight dollars
fifty nine cents, which is constituted of various small charges,
for trucking done, under the town government, during the
space of four years. To this account, there is no certificate

358. of any person, in office, at that time, that the work alleged
Bartlett to have been done, has ever been performed. Such a certificate
is now required, under an ordinance of the City Council, to
every account, previously, to the approval of the committee on
accounts. W. Bartlett is entitled, therefore, in this case, to no
other consideration than that which arises from the probable
equity of his demands. Under the direction of this committee
the auditor of accounts has gone through an examination of
the books and accounts of the town and city, for the last
ten years, to ascertain whether any of the items in this bill
of Mr. Bartlett have ever been paid; and the auditor
reports to the committee, that he has ascertained, that, altho'
various accounts have been rendered by, and paid to Mr. Bartlett
at intervening periods, it does not appear that any of the
particular items specified in this bill, have ever been paid;
on the contrary, certain circumstances have appeared, which
go to corroborate the statements of Mr. Bartlett, that the
work charged in this bill was actually done by him, & has
not been paid for. In the course of this investigation, the
auditor has ascertained, that an other account of Mr. Bartlett
amounting to fifteen dollars, and seventy five cents, for work
done four or five years since, was twice rendered by him,
and twice paid by the city. The committee on accounts have
found no reason to doubt the honesty of Mr. Bartlett, in any
of these transactions, and the strongest imputation against him,
is, a very culpable negligence in relation to his accounts.

Upon an examination of the items of the bill, which is the
subject of this report, the committee are convinced that many

of them are too highly charged, and that some deduction ought, 359.
for that reason to be made. Under these circumstances, the com-
mittee have concluded to recommend to the City Council, a
deduction of one third part of Mr. Bradlett's account, for excessive
charges; that from the remainder there should be deducted
the amount which has been twice paid him, as above stated,
and that the balance amounting to sixteen dollars, & sixty
five cents should now be allowed him, and be charged to
the appropriation for incidental expenses, and miscellaneous
claims. - All which is respectfully submitted, by the committee
on accounts.

John T. Spring, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Notice having been given to John McAlcer
McAlcer, to appear and show cause, if any he have, why his license
his license as a victualler should not be revoked, for a
violation of the license law, in selling liquors after ten
o'clock, in the evening, and keeping therein implements of
gaming. - And now the said Mr. McAlcer appears, and after
a full hearing, the board are of opinion that the allegations
against him are true. It is thereupon ordered, for the
reasons aforesaid, that the license of the said John McAlcer,
be and hereby is revoked.

Ordered, that the claim of Engine, com Engine No. 8.
pany No. 8, for the old Engine house be referred to Aldermen
Bellows & Alger, to consider and report.

Lawyer's
Taxes

The Mayor reports, on the petition of Thomas Sawyer, for an abatement of his taxes in part, that he had an interview with Mr. Sawyer, who states, that in the month of May of the present year, when the assessment was made, he was for some days absent from the City, on an excursion for the advantage of Country air and health and change of objects. He admits, that it was in his power to deliver the list required by law, of his estate, but that generally satisfied with his former taxation, he did not attend to it. Under these circumstances, he submits it to the decision of the Board of Aldermen, whether it is within the power of the board to admit Mr. Sawyer to make application for any abatement under the statute of 1785. C. 50 § 9. The statute of 1821 C. 109 § 11. Josiah Quincy.

Read and accepted, the board being of opinion, that they have no power to make any abatement, in this case.

A. Eng
Mrs Smith's
bill.

(Communication from Samuel D.

Harris, Esq. Chief Engineer, stating, that at the present time in Diana or street the last week it was necessary in order to gain access to the same, to procure the voice of Mrs Smith, & inclosing a bill for the repair of the same amounting to fourteen dollars. Read and thereupon ordered, that the same be paid by the City.

Mayor of New
Orleans.

Letter from M^{rs} Pignol, Esq. Mayor of City of New Orleans, acknowledging with thanks, the receipt of the City ordinances, sent by this board. Read and filed.

The committee to whom was 361

referred the petition of Harris & Wolcott offering to sell to the City, for a reasonable compensation a strip of land on Vine Street, seven feet six inches wide, for the purpose of widening said street. Reported, that it is not expedient to take any order, in relation to the subject thereof, at this time.

Read and accepted.

Application of Lewis B. Titus, Titus

for a license to exhibit an Elephant, and several other living animals, at Clark's Tavern opposite Bowdoin Market. Read and the license was granted on paying therefor four dollars a month. Elephant Fee

The Mayor's report on the remonstrance against the official conduct of George Jones, Constable, that on examination he does not find any reasonable cause, for complaint against said Jones. Read & accepted. Jones Constable

Ordered, that the Captain of the South Boston Watch house at South Boston, for the sum of twenty eight dollars per annum, with liberty to surrender it at any time, & that he be authorized to fit it up for the accommodation of the Watch. Watch house

Complaint having been made against Ephraim L. Baker, keeper of the Elephant Tavern, for keeping a disorderly house. Thereupon ordered, that the said Baker be notified to appear before this board on Monday next, four o'clock P. M. and show cause, if any he have why Baker Elephant Tavern

362. his license, as an Innholder, should not be revoked,
for a violation of the license law.

New England Soc^y

for promotion of

Manuf. Mech. arts. and the

Petition of Thomas Searle, in behalf
of the New England Society for the promotion of manufactures
and the Mechanic arts, for an alteration of the time of their
using the Hall over the Market house in the spring of the
year. Read and thereupon ordered, that the time for which
the New England Society for the promotion of Manufactures &
the Mechanic arts shall enjoy the use of the Hall granted
to them by an order of the 12th of November last, shall be
from the first of March to the first of April, so long as
the privilege granted by the said resolve of the 12th of
November shall be continued instead of from the fifteenth of
March to the fifteenth of April as secured to them by the
said order subject to all the limitations in the said order
specified.

Sent down for concurrence.

Came up concurred.

Committees to

report.

Order of the Common Council, requiring
all committees to report before the expiration of the present
municipal year.

Came up for concurrence.

Read and concurred.

Tancoul Hall

repairs

The committee appointed to carry into effect
the order relative to the repairs & alterations of Tancoul Hall, having
finished that work made a report, which was read. Sent down.

Adjourned to Monday next, four o'clock P. M.

Special meeting

363.

Thursday December 20th 1827.

Present. The whole board.

Letter from the Chief En- Ch. Eng. com^d
gineer, directed to this board, relative to the state of the Engine Engine N^o 6.
house, apparatus and company attached to N^o 6, with the
documents accompanying the same, being read and considered,
and it thereby appearing to the satisfaction of this board
that the members of that company have been remiss in their
duty of engine-men, in not taking proper care of their engine
house and apparatus since the last fire in Washington Street.
Whereupon ordered, by a unanimous vote, that the persons ap-
pointed as engine-men to engine N^o 6, be and they hereby
are discharged from that service and that the Chief
Engineer be and he hereby is authorized to raise forthwith
a company for that engine and to lay the same before this
board for sanction and appointment as soon as possible.

Ordered, that warrants be issued Ward meetings.
for the meeting of the Citizens of wards number one, two,
five and nine, on Thursday next, twelve o'clock M. the
poll to be kept open until three o'clock P. M. for the
choice of the following officers viz: Ward N^o 1. two members
of the Common Council in place of Mess^{rs} Isaac Harris and
Henry D. Gray, who decline serving. Ward N^o 2. one member
of the Common Council in place of Eleazer Forward, who
declines serving. Ward N^o 3. one overseer of the poor in place
of John A. Perkins, who declines serving. Ward N^o 4. one

364. member of the Common Council, in place of Joseph W. Thayer, who declines serving. And also that there be included in the several warrants an order to fill all vacancies which may exist in the several wards above mentioned.

Licenses
rule respecting as

Ordered, that on granting licenses as Innholders, victuallers &c. to foreign born subjects, each individual shall file with the City Clerk, a certificate from the Clerk of the Court a certificate that he has been duly naturalized, before he shall receive his license, and that the same rule be adopted upon the transfer of all licenses. —

Luther &
Lang

Ordered, that from and after the execution of a deed by the City of Boston, to Philip Luther & Stephen Lang, of a piece of land on Portland Street, parcel of a lot of land heretofore leased by the City to Ebenezer Smith, the sum of fifty dollars shall be abated & deducted annually from the rent payable by said Smith for the said demised premises. And the Mayor is hereby authorized to release the said Smith from the payment of so much of his said rent, accruing in future; but without prejudice to any of the rights of the City, touching the payment of rent in the residue of said demised premises in and during the residue of the term, or touching the performance of any of the other covenants of the said Smith. Sent down for concurrence. Came up concurred.

Deaf & dumb

Ordered, that the City Clerk cause a return to be made to the Secretary's office, of the names, ages &c.

of all the deaf and dumb persons in this City, which have 365
been received in pursuance of an advertisement inserted in the
newspapers agreeable to an order of this board viz: eight
males and one female, in compliance of an order of the
House of Representatives of the Commonwealth.

Adjourned to Monday next, four o'clock P. M.

(Monday December 24th 1827.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

The committee to whom was referred Micks
the communication of Lechaniah Micks, relative to widening Hanover street.
Hanover street, in front of his land, opposite Union street, report,
that it will be expedient to take of the land of the said
Micks about twenty five feet in length on Hanover street and
near six feet in depth; but they have not caused an accurate
survey to be made, because on conference with Mr. Micks they
found him not prepared to come to a final estimate of the
value of said piece of land, and also because he has changed
his views of the use of his said estate at present without
alteration therein. Read and accepted and referred to the
next board of Aldermen.

The committee on the Market under Nicks
authority of this board have given permission to George H. Nicks, Chatham St.
to place a cistern in Chatham street opposite the arched passage

366. way, for the purpose expressed in said Kuhn's petition, on the following conditions. The work shall be done under the directions and to the satisfaction of said Committee at the sole expense of said Kuhn. The cistern and the conduits leading to the same shall at all times be kept clean and in good order. The Mayor and Aldermen reserve the right to cause the cistern to be removed whenever they may deem it proper, and the said Kuhn engages to remove the same promptly and at his own expense when required so to do. Mr Kuhn shall have the exclusive right to the contents of the cistern, and permission to remove the same at such times as may be convenient to him. Th^o S. Loring, Chairman.
Read and accepted.

Hastings

Washington & Front
Streets

The committee on the petition of Samuel Hastings, for compensation for land taken to widen Washington and Front streets. Report, that they have examined with considerable attention the claim of said Hastings, which in their opinion is extravagant and unreasonable. Respecting the said Hastings charges for repairs of his estate on Washington street, it appears that a large portion of the expenditures has been occasioned by the erection of additional apartments to the buildings in question, a portion of which may right to be borne by the City, which your committee have estimated at seven hundred dollars. The quantity of land taken by the City on Washington street is stated to be seven hundred and fifty feet, for which your committee think the said Hastings entitled to one dollar and twenty five cents per foot.

For the land taken at the corner of Fox and Front streets, 36'.

Being about two hundred and eighteen feet, your committee are of the opinion that the petitioner is entitled to one dollar per foot, making in the whole, if the measurement of these lands be correctly stated, the sum of nineteen hundred and fifty five dollars and fifty cents. In reporting this sum your committee beg leave to observe, that in their opinion, it is beyond the actual damages sustained by the petitioner; their object being to remove every ground of complaint, by being not only just but liberal. Respectfully submitted, for the committee.

W. Bellows.

Read and accepted.

Petition of Isaac Winslow, & others, Winslow, praying that Causeway street may be widened near Leverell Causeway street, by taking a piece of land for that purpose in front of Miss Steets estate. Read and thereupon ordered, that this subject be referred to the next board of Aldermen.

The committee appointed to carry Council Hall into effect the order relative to the repairs and alterations of Council Hall, having finished that work, respectfully ask leave to report, that they have caused the whole of that building to be repaired as they believe in the most thorough manner, the walls have been painted three times over on the outside, and the Cupola four times out side and in, the gutters have been put up, and the perished part of the stone cornice removed and replaced by new; the lower floor,

368. and cellar have been partitioned into eight parts forming as
many convenient stores with cellars under each, of the same
dimensions. The whole of the work has been done in strict
conformity to the plan adopted by the City Council, except
ing a slight variation at the eastern entrance, where an
alteration was proposed, which is so manifest an improve-
ment, that the committee did not hesitate to agree to it,
not doubting that when completed it would receive the
approbation of the Council. In pursuance of the authority
given them the committee next proceeded to lease at public
auction all the stores and cellars aforementioned for the term
of three years at the annual rent of four thousand five hundred
and sixty dollars, reserving to the City Council the right to
annul and terminate either or all the leases whenever they
should deem it expedient so to do; and giving to the lessees
the option of extending their leases three years longer at
the end of the first term on the same conditions and with
the same reservation in favour of the City. The sum which
was appropriated to defray the expense of the repairs and
alterations above mentioned is six thousand and five hundred
dollars. The committee regret to state that this sum has
been found insufficient, the bills including the auctioneer's
commission and auction duties amount to seventy five hun-
dred and sixty three dollars and thirty five cents, leaving a
balance to be provided for by a new appropriation of about
eleven hundred dollars. This excess of expenditure over the ap-
propriation is owing chiefly to the defective appearance of
the walls which were found on a closer inspection after the

staying was erected in so decayed a state as to require a 369.
great portion of the bricks to be cut out and renewed, so
that the estimate of masons work, which was made by
experienced masons was exceeded more than two hundred
per cent. For the committee. M^r. S. Loring.

Read and accepted in Common Council. Came up for
concurrence. Read and concurred.

The committee appointed to examine Franklin find
the accounts of William Mind, Engineer, Treasurer of the Franklin Museum and
find, reported, that they find the same correct and well vouched
the balance of
and were amounting on the tenth day of September last, to ~~seven~~
~~hundred~~ seven hundred ninety three dollars and thirty two cents.

Read and accepted.

The committee on the order appoint Edwards
ing them to settle with M^{rs} Nancy Edwards for land said to
belong to her taken by a former board of Aldermen to widen
Salem street, near Richmond street. Report, that they have as
certained that the land of M^{rs} Edwards has not been taken as
supposed, but that it was designed to be taken to the amount of
a little over one hundred square feet, for which the committee of
the district at that time, about twenty months since, thought sixty
dollars would be sufficient compensation in addition to laying a
new side walk and fence; that the committee did last year put
up a new fence and lay a side walk for M^{rs} Edwards; but she
has removed the fence in part and thrown open more land than
the committee designed to have taken, and finally the committee

370 now concludes that if Mrs Edwards will make a deed of said land to the City, it would be expedient to allow her sixty dollars; but that it is not now expedient to take said land, unless by voluntary adjustment of the compensation therefor.
Read and accepted.

Baker

Ephraim S. Baker, a licensed Innholder, appeared before the board agreeable to summons, and after the examination of divers witnesses, and a full hearing thereon, it is ordered, that the same be laid upon the table.

Engineers
No 6.

A list of Engine companies No 6, approved by the Chief Engineer, being read and considered, they were approved and appointed Engine men accordingly, and thereupon ordered, that certificates be issued to each of them named in the list on file.

Reservoirs

The committee on the subject of Reservoirs, report, that as far as is known to them all the several subjects connected with their authority are finished and settled.
Read and accepted.

Leach

Sumner and
Hancock St.

The committee on the petition of Matthias Leach, to have his side walk laid at the corner of Sumner and Hancock streets, which was taken up in consequence of lowering Sumner Street, reported, in favour of the petitioner as it was the understanding of the committee of the District under whose direction the side walks of Col. Binney

and Mr. Wells were laid, that the side walk of Mr. Leach's 371.
was to be relaid at the public expense. Read and accepted,
and referred to the next board of Aldermen.

The committee to whom was Higginson,
referred the petition of Stephen Higginson, and others, praying, Belknap St.
that a side walk may be laid on the westerly side of Belknap
street, reported, that the side walk aforesaid should be laid
at the public expense. Read and accepted, and referred to
the next board of Aldermen.

Notice having been given on the Snelling,
petition of Samuel Snelling, agreeably to the order of this board - Salem St.
passed on the seventeenth instant, and no person appearing
to object. It is thereupon ordered, that the several persons
mentioned in the return of said Snelling be assessed as therein
mentioned, who have entered their drains into the common
sewer in Salem street, and that the same be collected accord-
ingly.

Memorial and remonstrance of Thomas Brewer
Brewer, owner of the building next to the Tremont Theatre,
the place where Stephen Bates, a licensed victualler prayed
liberty to remove, for the purpose of carrying on his business,
which this board refused to grant; said Brewer now
remonstrates against the said decision, and prays that the
board would reconsider the same; and that said Bates be per-
mitted to carry on his business of a victualler. In default, there;
or that they would license some other person for that purpose.

372. Read and thereupon ordered, that the same be referred to the next board of Aldermen.

W. L. Floor.

(Memorial of John M. L. Floor, praying that the board would reconsider their former vote, whereby they revoked his license as a victualler. Read & thereupon ordered, that the subject be indefinitely postponed.

Health depart.

The committee on the subject of alterations in the internal health department, report, that they have not found it necessary to suggest any alterations in the Health department the present year; & recommend, that the subject be referred to the next City Council.

Read and accepted.

Sent down for concurrence.

Came up & concurred.

Appropriations

The committee to whom was referred the consideration of a proposed order, on the subject of restrictions on public expenditures subject to the annual order of appropriations, respectfully report, that in the opinion of this committee, the joint rule passed in April last, relative to restrictions on expenditures is susceptible of improvement, as its construction is in some respects liable to doubt, but considering the present late period of the municipal year, and the nature of the subject, your committee are of opinion that it should be referred to the next City Council & recommended to their early consideration. All which is respectfully submitted, by order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence. 373
Came up concurred.

The committee on the subject Lands of the
of the disposable lands of the City, in compliance with City,
the order of the City Council of the seventeenth instant,
directing, all committees to report before the expiration of the
present year, respectfully report, that on the twenty ninth
day of October, last, they made a special report embracing
several important objects of City property, which has not yet
received the decision of the Common Council;— that other ob-
jects remain and have been under the consideration of this
Committee, in the present state therefore of the subjects com-
mitted to their consideration, they recommend that the whole
should be referred to the next City Council. — By order
of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.
Came up concurred.

The committee upon the subject Wharf of y.
of considering the expediency of leasing the City Wharf on City on Canal
the Canal, report, that the south side of the Canal, cannot
be leased, as it is the highway by the original contract be-
tween the Proprietors of the Mill Pond, and the Selectmen
of Boston, and that the wharf on the north side of the
Canal is very advantageous to the City as a landing place
for sand, stone, gravel and other materials, the City stables
being so near for their horses and carts to transport, and

374. Therefore, that it is inexpedient to lease the said wharf.

Robert Sennelly, Chairman

Read and accepted. Sent down for concurrence.

Came up concurred.

Ch. Eng. on ring.

The committee on the representation

of bells in case of fire of the Chief Engineer, relative to a more systematic ringing of bells in cases of fire, report: 1st That measures should be taken, with the consent of the proprietors of the different churches to place all belfries under lock and key and that this should be done at the City's expense. 2^d That a number of keys be provided & left at each watch house, so that each watchman may have it with him upon his beat. 3^d That it shall be the duty of each watchman as soon as the existence of a fire is ascertained, after springing his rattle to proceed to ring the bell in his beat, until the person appointed for that service shall appear; and then to proceed to his duty as prescribed on occasions of fire. 4th That a person shall be appointed residing in the vicinity of each belfry whose duty it shall be as soon as notice of fire shall be given, to proceed to such belfry & to take charge of the ringing of such bell & of causing such ringing to be stopped on the ceasing of the fire, or on receiving orders to that effect, from any Engineer: Such person to be compensated for such service on such principles & under such regulations as the Mayor & Aldermen from time to time shall prescribe. Submitted by order of the committee.

Josiah Quincy, Chairman.

Read and accepted, referred to the same committee for the purpose of carrying it into effect.

Adjourned to Monday next, four o'clock P. M.

315.

Thursday December 27th 1827.

Met according to adjourn.

Present The whole board except Alderman Elger.

(Application of James Campbell, for a Campbell's license to exhibit a musical machine, from Germany, consist. Musical machines ing, of galleries of moveable figures, at Jay's buildings, Cornhill square. Read and the prayer thereof granted, upon paying therefor, one dollar per week.

The committee to whom was referred Otis the petition of Harrison Gray Otis and others, owners & occupants Chestnut street of real estate in and near Chestnut street, requesting the acceptance of the remaining unaccepted part thereof. Report, that they have carefully examined that part of Chestnut street referred to in said petition, and find it in a proper condition to be accepted. They therefore recommend that all that part of said street lying between the accepted part, and Charles street be accepted & received under the jurisdiction and authority of the City government.

Thomas Welsh, Junr. for committee.

Read and ordered to be laid on the table; and that notice be given to all persons interested to appear before this board on Monday next, four o'clock P. M. and show cause (if any) they have why said street should not be accepted as aforesaid, and that said notice be published in the newspapers which print the orders of the City Council.

376.

Neck lands

The committee on the Neck lands

respectfully report, that the expenditures on account of said lands during the past year has been as follows.

For building new fences and repairing old	\$ 277. 12
For trees and labour on trees	24. 88
For plan of the lands ordered by Com ^{rs} of last year	17. 30
For tending gate	5. 00
	<u>\$ 374. 30.</u>

Your committee have received and paid to the City Auditor, during the past year, for rent Pasturage of cows \$ 440. 00 leaving a balance of receipts above expenditures of \$ 74. 30, and there is an outstanding claim of fifty two dollars, which now committee have not been able to collect. There having been no demands for these lands during the past year, your committee have not deemed it expedient to offer any in the market. Five acres of the lands bounding on Northampton Street have been leased to Mr. George Benson, for the term of thirteen years at ten dollars per acre, the lands to be used only for a garden or nursery of trees and plants, reserving to the City a right to sell and take possession on terms, as stated more particularly in a former report now on file. All which is submitted, per order. Thos. Loring.

Read and accepted. Sent down for concurrence.

Carried up concerned.

Engin 106

Representation of George Everett and others late members of Engine company No. 6. Read and laid on the table. —

Ordered, that the Mayor be 377.

authorized to cause an apparatus for drying the hose, to be Engine N^o 6.
constructed for the accommodation of engine N^o 6, and that
for this purpose, he be permitted to occupy the space in the
entry of the school house, and behind the street door, about
three feet wide and four and a half feet long; the same to
be done without taking away any of the present partitions
or in any way demolishing the school room space.

Ordered, that the further sum of Council Hall
eleven hundred dollars, be appropriated to defray the expense of repairs,
the alterations and repairs of Council Hall, and that the said
amount be withdrawn from the reserved fund. Came up for
concurrence.
Read and concurred.

The committee on the petition of Sanderson
Jacob Sanderson, and others, report as their opinion, that no Market House
compensation is due to the petitioners, for the damage done to
their property in the cellars under the Market house, by
water and frost, no warranty having been given or understood.
The committee have however directed such measures to be
taken as will prevent as far as is practicable the recurrence
of a similar accident.
Read and accepted.

Ordered, that a watchman be stationed Watchman
in the Centre watch house, from the setting of the sun each night un-
til the time of the setting the watch, for the purpose of receiving vagrants,
such others as may be taken up in the streets.

378.

A. Eng.
Resmon

Communication from the Chief Engineer recommending, that a few scow loads of mud be taken up under the bridge over the Mill Creek in Ann street, for the purpose of forming a reservoir capable of holding two or three hundred hogheads of water, to be used in case of fire: Read and ordered accordingly, & referred to the Mayor to see it executed.

Unfinished business.

The Committee on unfinished business reported, that which remains unacted upon, & they recommend, that the several Committees should report upon all subjects committed to them, at the next meeting of the City Council: Read and accepted in Common Council.

Came up for concurrence.

Read and concurred.

And

Petition of Remont Ford, to hire the old Engine house, at the west end of South Boston Bridge: Read and committed to the Mayor, to consider and report.

Adjourned to Monday next 4 o'clock P. M.

Monday December 31. 1827. 379.

Met according to adjournment.

Present. The whole board, except Alderman Alger.

It appearing to this board that notice has been given agreeable to the order passed at the last meeting, for all persons interested to appear at this time and shew cause, if any they have, why Chesnut street should not be accepted, from the point heretofore accepted and running westerly to Charles street. And now, after reading several communications upon the subject, from Messrs David Greenough, Lee Leighton, M. J. Otis, William Sullivan and Jonathan Mason. It is thereupon ordered, that said street be accepted as prayed for, and the same is accepted and recorded as a public street of the City, agreeable to the report of the committee of the district.

Chesnut st. accepted.

The committee on the petition of Sherburne John Sherburne respectfully report, that a representation signed by Stephen P. Fuller, and directed to the board of Aldermen dated the twenty fourth day of November, 1826, will explain the difficulty relative to the line of Thacher street, by which it appears, that owing to an original mistake in locating the several lots therein mentioned, the lines of Thacher street have been carried two feet and five inches farther northward than the original location of that street. Considering that the attempt to locate all the streets and all the several proprietors rights according to the original

Thacher st.

380. plans would be difficult and impracticable, and also con-
sidering, that Thacher street, is not a street through which
great travel can be expected your committee recom-
mend, by way of making a settlement of the whole,
difficultly that the north line of Thacher street be fixed
according to the original location, and that the said
street be declared to be only thirty seven feet, seven
inches wide reckoning, from the northerly front of the
brick buildings now erected on the southerly side of said
street. And that this report as also the above mentioned
representation of Stephen P. Fuller, Esq. be recorded in the
records of the Mayor and Aldermen by way of showing
the state of things in this report.

Robert Connelley, Chairman.

Fuller's
Statement To the Mayor and Aldermen of the City of Boston.
Gentlemen, In accordance with your direction I submit
the following statement relative to the land east of
Bond street, and also the plan accompanying this com-
munication. In the division of the land on the easterly
side of Bond street according to the original plan made
by Esq. Carleton, Esq. on record, in the registry of deeds,
at the end of Book 230, the whole distance from Crop
street to the margin of the Mill pond by Mill Lane, so
called, is eight hundred, ninety two feet, ten inches; which
is the same distance it now measures from Crop street to
the face of the old wall marked on the plan accompany-
ing this communication. There now is an excess of two
feet five inches between Crop street and Cooper street more

than is contained in the several deeds, and a deficiency of 384.
two feet, five inches between Thacher street and the old wall.
less than is contained in the deeds, making the location of
Cooper and Thacher streets, and also the lots between those Cooper st.
streets, two feet, five inches too far north. In locating the
lots north of Cooper street it has always been supposed,
that the fence on the City lots, and a house on the corner
of North Margin and Cooper streets, as also a cedar post on North Margin
the opposite side of Bond street, were on the correct line of Bond streets.
Cooper street; but in the case of Wiggins vs. Sherburne and
Allds, tried in the Supreme Court, November term 1825,
it was decided that their land was located two feet five
inches too far north, which now leaves their lot adjoining
Thacher street but thirty seven feet, seven inches instead of
forty feet. All the lots have got the quantities they are
entitled to, except Sherburne and Allds; and the lots south
of the lot called the "City's lot" have an excess of two feet
five inches more than they are entitled to in their deeds,
which two feet, five inches is in fact a part of the City's
lot, and the City have sold Mr. Bishop a strip of two
feet, five inches wide which was intended as a part of Cooper
street, which accounts for the deficiency of Sherburne & Allds
lot. If the City pay Sherburne and Allds for their land taken
into Thacher street and take the excess of land between Cooper
street and Bond street, the other lots will then correspond
with their deeds. It may however be necessary that the sur-
veyors of highways should alter Cooper and Thacher streets
by discontinuing those parts of said streets which have been

382. taken into the lots and taking the corresponding quantities into the streets from the opposite sides thereof, and also for the City, and the owners of lots between those streets to give deeds from one to another corresponding to the lines of the lots and streets as now located. Upon Obet's servant.

Boston Nov: 24th 1826.

Stephen T. Fuller Surveyor.

The foregoing report read and accepted and so much of said Thacher street, be discontinued, so as to correspond to the same.

Ward No 5

(Communication from the Warden of the Prison upon No 5, inclosing a letter from Horatio G. Ware, declining to accept the office of overseer of the poor. Read & thereupon ordered, that a warrant be issued for the meeting of the said ward, on Thursday next, one o'clock P. M. for the purpose of electing an Overseer instead of said Ware; the Hall to be kept open until three o'clock P. M.

Eaton

Upon Debts. The committee on the gaol to whom was referred the memorial of Amos B. Eaton, and others, poor debtors for relief, as regards their ration &c. report, that they gave an early attention to the subject, but did not find any reason to make a report, in conformity with the desires of the memorialists; yet the committee have until this moment retained the paper, in order to recommend relief, if it should, in any degree, be expedient. Having no further information on the subject, the committee recommended that no further order be taken thereon. Read & accepted.

fund gave notice that the bond of Thomas Cartwright, de Brooks's fund ceased for £60, has been paid by his heirs, with one year's interest due thereon to the first day of January next, amounting in the whole to two hundred and twelve dollars. Read & thereupon ordered, that Aldermen Loring and Savage, be a committee to consider and report upon the subject of said fund; and that they have authority to loan the whole of the principal sum paid in, in such way and manner as they may judge best.

The committee on the petition of Baldwin.

Ezra Baldwin, reported that no further measures ought to be taken in relation to the subject of this petition for the present, but recommended, that the same be referred to the next Commit. Read & accepted. Sent down for concurrence.

Came up & concurred.

Communication from Dr. Smith Dr. Smith

Resident Physician of Rainford Island, stating, that since his last communication, two patients had been discharged from the Island. And that there had been received Oliver Wyle, Esq. one of the Selectmen of Brookline, Massachusetts M. Crane, a medical student from the Massachusetts hospital, and Barnabas Snow, from Halifax, all of whom have the varioloid. There are now seven patients on the Island, four with small pox, and three with the varioloid.

Read and filed.

The committee who were directed Charles street to consider and report upon the expediency of building a sea wall, on the westerly line of Charles street, and filling up and levelling the flats contiguous thereto, and erecting monuments on the boundary lines, between the Boston & Roxbury Mill Corporation, and the City, reported, that the monuments have been erected on the lines established by the Boston and Roxbury Mill Corporation and the City. And that they have caused an estimate to be made of the expense of building a sea wall, and levelling & filling up the flats, and find that it will require an expenditure exceeding twenty thousand dollars, a sum much greater than the object to be obtained is worth, they therefore recommend, that no further proceedings be had in the present on this last subject. -

Read and accepted.

Ordered, that all matters and things not acted upon be referred to the next board of Aldermen.

The meeting was then adjourned without day.

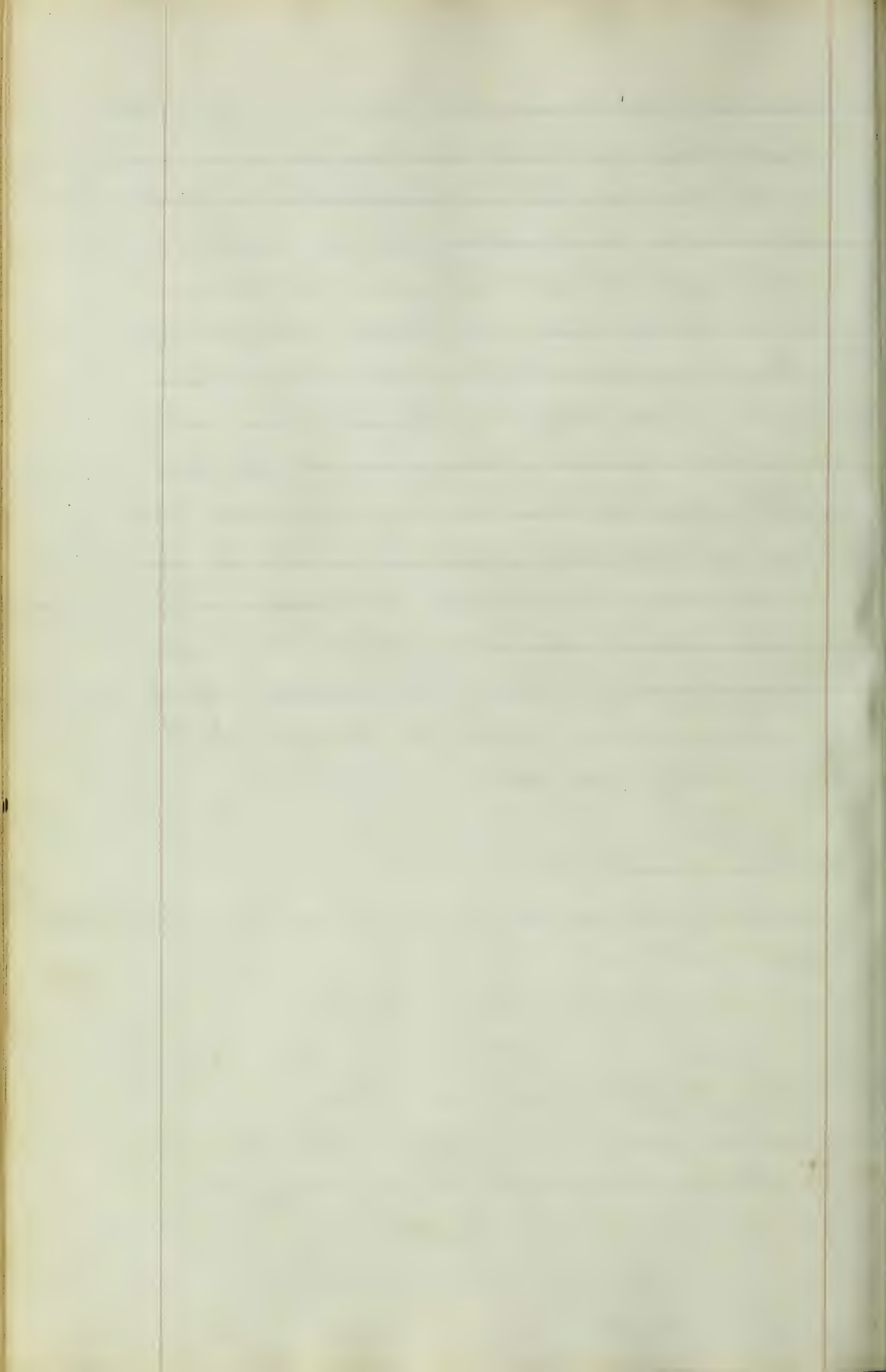
Attest,

Samuel J. McLeary, City Clerk.

The foregoing is a true record of proceedings of the board of Aldermen, for the year 1827, viz: from the first day of January, to the thirty first day of December, inclusive.

Attest,

S. J. McLeary, City Clerk.



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